

**INTERNATIONAL INSTRUMENTS**  
**FOR THE RIGHTS OF WOMEN**  
**AND INDIGENOUS PEOPLES.**

Second edition. September 2014.



# PRESENTATION

This publication, in which international treaties are reproduced on the rights of women and indigenous peoples, is based on the compilation by the UN Women Regional Office for the Americas and the Caribbean and replaces the first edition of 2012 based in the Regional UN Women Program "Working against ethnic and racial discrimination for the effective exercise of the rights of indigenous Latin American women". It was re-edited and presented here in the context of the World Conference of Indigenous Peoples 2014.

This aim is to facilitate access to these international standards to government officers, civil society, in particular women's organizations and indigenous peoples to contribute to the recognition and effective enjoyment of the human rights of indigenous women, both collective and individual, as well as reducing ethnic and gender discrimination. A number of regional instruments emanating from intergovernmental processes are also included, especially the Regional Conferences on Women in Latin America and the Caribbean where indigenous women have also struggled to ensure that their demands be heard and included in these instruments.

This edition consists of ten international instruments as well as the Lima Declaration and Plan of Action of the World Indigenous Women both adopted at the Global Conference on Indigenous Women in Lima, Peru in October 2013. The rights enshrined in the instruments provide a basis to promote the development of women and indigenous peoples and to guarantee the exercise of their rights in the political, economic and cultural fields. In this sense they form a framework for the inclusion of their demands, needs and proposals on national agendas. In this fact lies the importance of dissemination and understanding as well as the undeniable need for effective enforcement and application of the principles contained therein.

On the other hand, both the Lima Declaration and the Plan of Action reflect the efforts of the community of indigenous women worldwide to assert their collective and individual rights and the growing ability of indigenous women to mobilize and influence in all issues that affect them and to articulate specific demands directed to the international community, governments, international organizations, civil society and indigenous peoples' organizations themselves.

Thus, this publication becomes an indispensable source of reference and a source of consultation for those who contribute to the defense and promotion of women's rights, orient their actions to reduce violence against women as well as ethnic discrimination and gender. In particular it is expected to contribute to the recognition of indigenous women as subjects of individual and collective rights.

"Indigenous women and girls, in their struggle for equality, have shown their diverse capacities as human rights defenders, decision-makers and implementers, despite discrimination and marginalization". Phumzile Mlambo-Ngcuka, Director of UN Women message on the International Day of Indigenous Peoples, 2014.

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# PROGRESS AND CHALLENGES FOR THE FUTURE WE WANT 28 - 30 OCTOBER 2013 LIMA, PERU<sup>1</sup>

## INDIGENOUS WOMEN TOWARDS VISIBILITY AND INCLUSION!

This Position Document and PLAN of ACTION draws on the conclusions, the recommendations and a common action agenda of indigenous women from the seven socio-cultural world regions that participated in the Lima Global Conference. Given its global nature, this document is adopted as an advocacy plan regarding United Nations processes to take place in 2014 and 2015. The High-level Plenary Meeting of United Nations General Assembly to be known as the World Conference on Indigenous Peoples (WCIP) offers a unique opportunity for the articulation of indigenous women's agenda with other global processes such as Cairo+20, Beijing+20 and the Post-2015 Development Agenda. This Position Document and Plan of Action aims at contributing for articulation between indigenous women and indigenous peoples' organizations and networks in the seven socio-cultural regions. Further, it aims at promoting proactive and consensual participation in decision-making spheres and, lastly, it is conceived as a framework and guideline to channel efforts toward eradicating the violence, discrimination, racism and poverty faced by indigenous women.

**The document consists of three main sections:**

- **Political Stance**
- **Strategies for Action**
- **Advocacy Roadmap**

### POLITICAL STANCE

#### I. WORLD CONFERENCE ON INDIGENOUS PEOPLES

The World Conference on Indigenous Peoples (WCIP) was one of the main topics at the World Conference of Indigenous Women. The discussion and panels specially drew on the actions and recommendations established in the Outcome Document of the Global Indigenous Preparatory Conference to the World Conference on Indigenous Peoples held in Alta, Norway. The outcome document, known as the "Alta Document", identifies four overarching themes that include the most important issues for indigenous peoples: (1) Indigenous Peoples' lands, territories, resources, oceans and waters; (2) UN system action for the implementation of the rights of Indigenous Peoples; (3) Implementation of the Rights of Indigenous Peoples and (4) Indigenous Peoples' priorities for Development with free, prior and informed consent.

#### **Background:**

After years of advocacy and lobby, indigenous peoples made important achievements: by Resolution A/RES/65/198, United Nations General Assembly (UNGA) decided to hold a High-level Plenary Meeting, to be known as the World Conference on Indigenous Peoples (WCIP). The WCIP will take place at UN headquarters in New York, United States on September 22-23, 2014.

The World Conference on Indigenous Peoples will conclude with a concise and action oriented outcome document. The outcome document will be prepared by the President of the General Assembly, based in consultations with Member States and indigenous peoples, bearing in mind the opinions stated in the preparatory process and in the interactive dialogue that will take place in June 2014, the latest.

In January 2012, indigenous peoples attended a self-convened Indigenous Peoples' Meeting in Copenhagen, entitled "Brainstorming Meeting on the 2014 World Conference on Indigenous Peoples". An Indigenous Global Coordinating Group (GCG) was established, composed by representatives of the seven social and cultural indigenous region of the world, as well as of indigenous youth and indigenous women's caucuses. The GCG has met regularly since its establishment and organized preparatory meetings that converged in a Global Indigenous Preparatory Conference to the World Conference on Indigenous Peoples that was held in Alta, Norway, in June 2013. The Alta Outcome Document was submitted as an attachment to a letter to the UN Secretary-General requesting that the document be circulated as an official document of the General Assembly. Nine Member States signed the letter: Bolivia, Denmark, Finland, Guatemala, Mexico, New Zealand, Nicaragua, Norway and Peru. As a result, it is now considered an official document of the UN (A/67/994).

During UN Permanent Forum on Indigenous Issues sessions in 2011, 2012 and 2013 the WCIP was discussed and specific recommendations to ECOSOC were adopted. Likewise, discussions took place in the Expert Mechanism on the Rights of Indigenous Peoples. In 2012, UN General Assembly adopted its Resolution A/RES/66/296 on the organizational arrangements of the High Level Plenary. The Resolution specifies the designation of facilitators, the participation of indigenous peoples, the sessions that will take place and the adoption of an Outcome Document of the World Conference.

#### **Indigenous women's position on the World Conference**

##### *On topics and priorities*

1. After addressing and discussing the topic, indigenous women from the seven regions agreed in the importance of highlighting the interconnectedness of the Alta Outcome Document with UN Declaration on the Rights of Indigenous Peoples. Both documents need to be considered as a framework for indigenous women's work and advocacy efforts.

<sup>1</sup>For regional and other statements please check: <http://en.mujerindigena.com>

22. A significant sentence that arose in the Panel on the WCIP was stressed: “We are not the problem, we are part of the solution”. Consequently, when communicating our vision as indigenous women in the face of processes such as the WCIP, it is important to highlight good practices and experiences with respect to each topic, issue and demand, and linking them to the message and the solution that we aim to present.

3. Alta Outcome Document’s themes (1) and (4)<sup>2</sup> are intimately linked. In fact, in most cases, when addressing the theme of indigenous peoples’ lands, territories, resources, oceans and waters, States do not respect indigenous peoples right to free, prior and informed consent. Indigenous women’s relation with their lands makes it essential that we participate as indigenous women in consultation processes, free, prior and inform consent.

4. Throughout all regions serious human rights violations take place, so as those produces by natural resource extractive industries and the multiple forms of violence against women. Resources of economic and strategic value for countries, such as water, energy and bio-diversity are mainly located in indigenous territories. This has involved risk for the life of our peoples and especially for the lives of indigenous women, ancestral caregivers of our territories. “With regards to our mother earth, indigenous women experience the same pain and effects that are caused by physical abuse and excessive exploitation: we will defend our lands, waters, territories and the resources of our peoples with our lives”.

5. The growing gap between the advancements in international law and its implementation and accountability by the States, companies and other actors is a common concern.

2 Theme 1: Indigenous Peoples’ lands, territories, resources, oceans and waters; Theme 4: Indigenous Peoples’ priorities for Development with free, prior and informed consent.

The Alta Outcome Document proposes mechanisms to make the recognitions stated in human rights instruments and in UN Declaration on the Rights of Indigenous Peoples a visible reality. Given tan many governments violate in practice the same rights that they acknowledge in law. Indigenous peoples’ sovereignty over their lands, territories and resources is the basis of their self-determination and of their right to free, prior and informed consent. States must recognize the rights enshrined in the Declaration through their laws, including the right to self-determination on their social, economic and cultural development, based in the security of their territories, lands and resources.

#### *On advocacy strategies*

6. It is necessary to accomplish an advocacy strategy at two levels: on the one hand, internally and on the other, through delegations before the States (lobbying before Foreign Affairs Ministries and congressmen, Commissions on Indigenous Issues and Commissions on International Affaires of the countries’ congresses and

accredited Embassies). Congresses and Embassies). Moreover, it is necessary to ensure that these aspirations are reflected in resolutions adopted in other intergovernmental processes, such as the Commission on the Status of Women (CSW) and UN Convention on Biological Diversity (CBD), among others.

7. It is important to promote the themes of the Alta Document to a wider audience, in a familiar and easy format, and promote its inclusion in official UN documents, highlighting that the problems that affect us as indigenous women affect society as a whole.t

#### *On outreach of contents and process*

8. Regarding dissemination of information and communication about the WCIP, there was coincidence on the need to think of different means, channels and products (radio, leaflets, posters), considering that access to Internet is often limited in many communities.

9. It is also important to link the messages in the Alta Document with concrete experiences of indigenous women at the community level. For example, by highlighting indigenous women’s ties to territory, to resources for family nutrition, care, culture and ceremonies. This will allow the message to gain more life and relevance, beyond the WCIP.

#### *On participation of indigenous women*

10. Indigenous women must participate in every dialogue and decision-making spaces regarding these issues and all of the themes that concern us and our right to political participation. Our Political participation as indigenous women must walk alongside a new paradigm that will enable empowerment and our substantial incorporation, in accordance with the routines of our productive time frames. Experiences such as leadership and capacity building schools are valued as essential resources to this end. Our conception of indigenous women’s development is base done eradicating the invisibility of our real situation, to achieve a visibility expressed in public policy, in equal political participation and in opportunities. State policy. Indigenous women do not want the established powers but, instead, pledge for constructive participation, conflict resolution, respect to our rights and the fullness of life.

#### *On the impact of the results*

11. Additionally, as part of a training process and of the intergenerational transmission of knowledge and experience every action must be thoughts considering its present and future impact, ensuring historical continuity and the fulfillment of our individual and collective rights as indigenous women.

12. Therefore, the WCIP represents a crucial moment to advocate before the States, governments, United Nations and global financial institutions. A central objective is to achieve the adoption of an explicit resolution regarding indigenous women specificities.

<sup>2</sup>Theme 1: Indigenous Peoples’ lands, territories, resources, oceans and waters; Theme 4: Indigenous Peoples’ priorities for Development with free, prior and informed consent.

## II. BEIJING+20 AND CAIRO +20. COMMITMENTS, CHALLENGES AND PROGRESS

### Background:

The 1994 International Conference on Population and Development (ICPD) in Cairo was a milestone in the history of population and development, as well as in the history of the rights of women and youth. The Cairo conference focused on women as key agents of change in the development of the peoples, subjects with the moral capacity for self-determination regarding their life, sexuality and reproduction.

In Cairo, a total of 179 governments signed up to the ICPD Program of Action set out to: Provide universal access to family planning and sexual and reproductive health services and reproductive rights; deliver gender equality, empowerment of women and equal access to education for girls; address the individual, social and economic impact of urbanization and migration and support sustainable development and address environmental issues associated with population changes

United Nations Population Fund (UNFPA) was created to accomplish the ICPD Program of Action. The Program of Action is guided by 15 principles. Principle 14 calls states to acknowledge indigenous peoples' needs regarding population and development and, in that regard, States should recognize and support the identity, culture and interests of indigenous peoples and enable them to participate fully.

The Program of Action was to be completed within 20 years, formally concluding by 2014. For this reason, UN General Assembly decided to convene a special session in September 2014 in order to assess the status of implementation of the Program of Action and to renew political support for actions required for the full achievement of its goals and objectives. The ICPD Beyond 2014 Review will identify progress and achievements towards the goals set out in Cairo 1994.

For its part, in 1995, the Fourth World Conference on Women organized by United Nations in Beijing marked a turning point in the indigenous women's movement. In Beijing, representatives from 189 states signed the Beijing Declaration and Platform for Action – the most comprehensive global policy framework to achieve the goals of gender equality, development and peace, which world leaders committed to in 12 critical areas of concern.

In Beijing in 1995, In Beijing, indigenous women approve and sign the Beijing Declaration of Indigenous Women. This document set the basis of indigenous women's claims as indigenous people and as women. Since the Beijing landmark, indigenous women have been advocating and gained more space within the women's movement, for example through the adoption of two specific resolutions (E/2005/27) and (E/CN.6/2012/16) by the Commission on the Status of Women (CSW).

In 2015, during CSW 59th Session, a review process known as Beijing+20 will take place. The session will also address current challenges that affect the implementation of the Platform for Action, as well as opportunities for achieving gender equality and the empowerment of women in the post-2015 development agenda. The regional commissions of the United

Nations will undertake regional reviews, and both the national and regional review processes will feed into the global review.

### Indigenous women position on Cairo +20 and Beijing +20

#### *On identity and relevant statistical information*

13. After 20 years, institutionalization of the priorities adopted in Cairo is weak, particularly in Asia and in Africa. Lack of recognition of indigenous peoples in various countries is a serious problem that makes it more difficult to implement the actions agreed in Cairo (1994). States need to advance in the recognition of indigenous peoples and enhance their visibility.

14. We celebrate the existence of international instruments that recognize the rights of indigenous peoples and women. However, we express our concern about the lack of political will to respect and to assert those rights within the frame of national governments. In such context, we acknowledge that despite the fact that in many countries several programs have been implemented, they have generally been without participation of indigenous peoples, let alone indigenous women.

15. Ensuring visibility of indigenous peoples members through data and statistics collection remains a central challenge. Even though progress has been uneven, most countries are following international recommendations. In Latin America, the last census round was a statistical opportunity to gather information on disaggregated indicators on indigenous peoples for 16 countries. Each of them implemented participative mechanisms for the questions, the operationalization and the census tool. Thanks to the participation of indigenous peoples, the biggest change in the 2010 census round has been that indigenous peoples are identified not only by the response indigenous/non indigenous, but also by answering the indigenous people they belong to. In terms of numbers, the result is that for the first time indigenous peoples population growth rates are not negative.

16. Although the existence of self-identification in population censuses represents great progress, it is still absent in other data collection sources as, for example, in continuous records. Consequently, it is still difficult to obtain data on health, education, and political participation, among others.

17. There is a need to improve participative processes in the definition of indicators or tools, and to build capacities in those who gather data so that they understand the perspective of indigenous peoples and specifically of indigenous women. This is key for indigenous peoples strengthen their political advocacy, highlighting the gaps they face.

18. Many communities carry out community mappings, with the methodology of case studies. There is currently a network of indigenous and local communities that is

developing specific monitoring and information systems to address traditional knowledge indicators. There is a pilot program originated by the indigenous organizations that participate in the Convention on Biological Diversity processes. CBD adopted 4 indicators that governments must include in their reports, including linguistic diversity, status and tendencies in ownership of lands and territories, tendencies in the practice of traditional occupations and the degree to which governments have adopted policy, law and programs to respect and protect traditional knowledge.

19. We expect that the data generated by indigenous peoples will be used by the States in their reports to conventions such as United Nations Framework Convention on Climate Change (UNFCCC) and on the International Convention on Biological Diversity. United Nations Permanent Forum on Indigenous Issues also aims to advance in the development of indicators regarding UN Declaration on the Rights of Indigenous Peoples, ILO 169 Convention and indigenous peoples' concept of wellbeing.

#### *On sexual and reproductive rights*

20. With regards to indigenous women's sexual and reproductive rights, there was consensus and alarm about the persistent discrimination, exclusion and criminalization of traditional health practitioners, which constitutes a violation to the rights to sexual and reproductive rights and represents acts of violence against indigenous women.

21. It is crucial to ensure intercultural health models respectful of traditional health knowledge of indigenous peoples. Otherwise indigenous women's rights are violated. In order to strengthen and promote intercultural health models, it was proposed to constitute health networks with an intercultural approach that may constitute as learning communities. Additionally, the network will serve as a platform for traditional medicine concepts, contributing to protect the traditional knowledge and medicines from industries such as bio-pharmacy and bio-piracy. On the other hand, indigenous and intercultural health ensures the spiritual, physical, psychic, personal and community wellbeing in all aspects of human sexuality, in the reproductive system's functions and processes, and a sexual life that is coherent with the dignity of women and men.

22. HIV –Aids is still a taboo in indigenous communities. The situation is critical. Ignorance about the disease is a reality and medical attention is regrettable due to racism and discrimination, in addition to prejudice about the disease within indigenous communities.

#### *On gender violence and indigenous women*

23. Many expressions of gender violence were shared, including violence in the name of tradition, such as feminine genital mutilation and forced marriage. There was also reference to different kinds of institutional violence, and violence against Mother Earth that affects indigenous women. Economic empowerment is an important strategy used by indigenous women to combat violence in their communities. Currently, organized indigenous women commit to transform

practices that stand against human rights, and to do it in their own contexts. This is of utmost importance given that several practices that undermine the well-being and lives of indigenous women and girls are still accepted and considered normal in many communities.

24. Extractive industries such as mining are increasingly present on Indigenous lands. Such presence brings militarization, traffic, use of pesticides and sexual violations on indigenous women and girls. It is worth highlighting the link between the impact of extractive industries on communities, environmental violence and indigenous women's sexual and reproductive health. On the one hand, the right of indigenous peoples to free, prior and informed consent must be respected, including indigenous women. On the other hand, it is urgent to promote access and production of information on the negative impact of extractive industries and of the use of pesticides. Developing disaggregated data and relevant indicators is a key tool to highlight and communicate the scourge of extractive industries and to advocate for the respect of indigenous women's rights.

#### *On indigenous women's political participation*

25. An interesting reflection addressed the meaning of political participation from the standpoint of indigenous peoples, and on the role of political parties, since these provide an opportunity for advocacy in the elaboration of public policy in favor of indigenous peoples and indigenous women. Strengthening indigenous women's power and leadership was stressed as a key factor to achieve presence, participation, ensured election and decision making at every level.

26. As part of the political exercise, indigenous women demand trainings, reform of the political constitutions of the republics and of specific electoral laws and political parties to respond to a real democracy.

27. Indigenous women stress the need for more quality education that can lead to the articulation of our traditional and ancestral knowledge with the strategies of universal learning. We are aware and we have the experience to affirm that the more and better education that women and girls receive in all aspects of life, the more social and economic effects will ensure a better life, especially regarding indigenous women's health.

28. In the case of Latin America, indigenous peoples' contribution to representative democracy in the region was highlighted, with the various examples of indigenous peoples political parties, and the role of indigenous women's participation in the indigenous movement at the national, continental and global level.

29. The need to increase political cadres of honorable women, with ethics is highlighted as well as to continue building a horizontal power from the local level, at the individual and the collective sphere.

30. There was also emphasis on Beijing Platform and the will to demand indigenous women's political participation. Organized indigenous women seek to interact with the State in its different domains, as well as with other actors that share our struggle for the rights of indigenous women, to open representation spaces.

### III. Millennium Development Goals and the Post 2015 Development Agenda

#### Background:

In 2000, 147 Heads of State and Government signed the Millennium Declaration<sup>3</sup>. The Declaration reaffirms universal values of human rights, equality, mutual respect and shared responsibility for the conditions of all peoples. The United Nations set out a series of time-bound targets, with a deadline of 2015 that have become known, as the Millennium Development Goals (MDG). They are to: (1) eradicate extreme poverty and hunger; (2) achieve universal primary education; (3) promote gender equality and empower women; (4) reduce child mortality; (5) improve maternal health; (6) combat HIV/AIDS, malaria and other diseases; (7) ensure environmental sustainability; and (8) develop a global partnership for development.

Although there is little data on indigenous peoples and the Millennium Development Goals, a few figures illustrate the situation faced by indigenous peoples around the world. Indigenous and tribal peoples are lagging behind other parts of the population in the achievement of the goals in most, if not all, the countries in which they live, and indigenous and tribal women commonly face additional gender-based<sup>4</sup> disadvantages and discrimination.

The outcome document of the 2010 MDG Summit<sup>5</sup> requested the Secretary-General to initiate thinking on the global development agenda beyond 2015. The outcome document of the 2012 Rio+20 Conference on Sustainable Development initiated an inclusive process to develop a set of sustainable development goals (SDG). There is broad agreement that the two processes should be closely linked and should ultimately converge in one global development agenda beyond 2015 with sustainable development at its core. The process of arriving at this new framework is Member State-led with participation from external stakeholders such as civil society organizations, the private sector and businesses, academia and scientists.

#### Indigenous women's position on the MDGs and the Post 2015 Development Agenda

##### *On the Millennium Development Goals*

1. The Millennium Development Goals were created without consulting or obtaining indigenous peoples' free, prior and informed consent. Indigenous peoples were left behind in the definition of the MDGs. Today, there are only two years left before the deadline to achieve the MDGs, but many challenges remain.

2. Little participation of indigenous peoples has been observed in consultation processes and/or in decision-making processes. In indigenous communities, this oftentimes frustrating because programs do not reach to them, and if they do, they generally reach the community's in a form that is not culturally relevant.

3. There are little funds for programs and, generally, indigenous peoples do not take part in the design of public policy regarding access to basic services.

4. There is no sign of improvements in the health sector to reduce maternal mortality among indigenous women, nor in data collection on the issue.

5. Collected evidence on MDGs promoted in indigenous peoples show that programs have better results when indigenous peoples', specially indigenous women's participation is ensured in every program stage.

##### *On the challenges for a development agenda with indigenous perspective*

##### *Impact of extractive industries*

6. Currently, indigenous peoples around the world face new challenges that were not even imagined 15 years ago, for example, the impact of extractive industries.

7. Companies have the same obligations as others and responsibilities in the protection of the rights of indigenous peoples and in respecting their fundamental rights such as the right of free, prior and informed consent. As an unprecedented framework, mandates for companies have been established, to identify and repair damages caused to women.

8. Natural resources are being taken over. Every three concessions, two involve indigenous peoples. Consequently, militarization zones, forced displacements, extreme poverty and impact on the life and well being of indigenous women arise.

9. Extractive industries, such as mineral, oil and gas extraction have proven to be particularly problematic and continue to have disproportionate effects on indigenous peoples. Particularly mega projects create serious problems for indigenous rights, in addition to the fact that they are generally developed without free, prior and informed consent. Such mega-projects as mining, oil, gas and wood, monoculture plantations and dams produce environmental damage to neighboring lands and the loss of culture, traditional knowledge and ways of life. Often, the consequences are conflicts, forced displacements, increased poverty and a decline in the health of indigenous peoples.

<sup>3</sup>A/RES/55/2

<sup>4</sup>E/C.19/2005/9

<sup>5</sup>A/RES/65/1



## *Digital Gap*

10. In addition, the Millennium Development Goals, as well as the Post 2015 Development Agenda are unknown issues for many indigenous women, despite efforts made by United Nations System's joint programs. One key reason is the digital gap, given that one of the main strategies that have been designed is to broadcast information through websites, and many indigenous women have limited access to the needed resources.

### *Increase in violence*

11. With market-strengthening policies, reduction of public expenditure, the privatization of basic services, trade liberalization and the elaboration of products mainly for export, neo-liberalism has exacerbated different kinds of violence against indigenous women and has created new forms of violence.

12. The rupture of social bonds impacts negatively in the transmission of cultural values from one generation to another and involves an increase in intergenerational domestic violence, threatening the survival of indigenous cultures.

13. Indigenous women are especially vulnerable to violence in diverse displacement, migration and urbanization situations. They face discrimination not only as migrants and as women, but also as indigenous persons. Cultural identity and cultural practices are directly linked to Mother Earth. In some cases, migration predicts the extinction of a complete language and the loss of cultural forms and knowledge systems that particularly women have developed for centuries.

### *Migration and increasing urbanization*

14. Migration processes impact particularly on young indigenous women and girls. The amount of migrants increases and the vulnerability and discrimination leads sometimes event to death.

15. Some key factors that contribute to indigenous women's migration are: dispossession of lands and territories, forced displacements from indigenous peoples' ancestral territories, poverty, militarization, disasters that are a consequence of climate change, lack of employment opportunities and the deterioration of traditional means of livelihood.

16. Indigenous women suffer from marginalization with regards to land ownership and are excluded from decision making in the management of communal property.

### *Climate change*

17. Indigenous peoples are the first to face the consequences of climate change due to their dependence and their relation to the environment and its resources. Climate change aggravates difficulties such as political and economic marginalization, the loss of lands and resources, violations to human rights discrimination and unemployment. Quality and availability of seeds has become unbalanced due to climate change.

18. In many cases, adaptation to other conditions requires additional financial resources and also transference of technical knowledge that most indigenous communities don't have. Although short-term adaption activities have been implemented, lack of resources and capacity limits the implementation of long-term strategies.

19. Some mitigation measures may have direct or indirect undesirable consequences for indigenous communities. Full and effective participation of indigenous peoples and especially of indigenous women is essential for the creation of mitigation measures that do not negatively affect communities.

20. Indigenous peoples are suddenly displaced due to climate disasters. They have limited options for legal migration and scarce opportunities to make informed decisions, which makes them more vulnerable to human trafficking. Deforestation, especially in developing countries, is forcing indigenous families to migrate to the cities for economic reasons. They often end up living in marginalized neighborhoods. Indigenous women and girls are disproportionately affected by such situations.

### *Effective implementation of the MDGs and definition of the Post 2015 Agenda with indigenous women's perspective*

21. Indigenous peoples demand a paradigm change based in the buen vivir or 'good living'. We propose a new perspective and the construction of a new economic model, based in solidarity, redistribution and sustainability, opposed to that of companies, who transform nature and her resources into business.

22. To ensure program sustainability, reciprocal resource exchanges are crucial, including the resources of indigenous organizations such as materials, spiritual, ancestral time and special knowledge.

23. Likewise, in order to achieve the MDGs and in the Post 2015 Agenda, any program must consider a collective and territorial approach that includes the environment or Mother Earth, based in the notion of good living; as well as an intercultural approach and human rights-based approach that confronts inequalities, power relations and the structural discrimination faced by indigenous peoples. Participation of communities in the management of resources is a clear example that has shown greater sustainability.

24. When programs, by counting with free prior and informed consent, implement indigenous peoples own mechanisms, results are more effective. The same occurs when ancestral and previous knowledge of indigenous peoples is respected, and even more when these serve as the basis for capacity building.

25. Public policies must acknowledge cultural identities and promote diversity to avoid fragmentation, conflicts and authoritarian practices.

6. Indigenous women demand that their priorities as human right holders are included at the Post 2015 Development Agenda. Indigenous women categorically reject to be considered as vulnerable groups or minorities. Likewise, they express that their collective and individual rights are not subject to any negotiation.

27. For indigenous peoples to exercise self-determination, States should acknowledge our own justice systems, in coordination with State justice; collective and individual rights should be respected and sufficient budget should be permanently allocated. Moreover, States should include the *buen vivir* approach and count with damage repair mechanisms.

28. For the Post 2015 Development Agenda indigenous women have reaffirmed the priorities expressed within the frame of Rio +20:

- Implementation of the de la Declaration, free, prior and informed consent
- Security of territories, lands and natural resources
- Commitment by governments to ensure the fulfillment of human and cultural rights
- Acknowledgement of local forms of livelihood and of diverse local economies
- Acknowledgement of and respect to indigenous traditional knowledge.

29. Acknowledgement of the rights of Mother Earth as a basic principle of healthy and safe nutrition.

30. From the worldview of indigenous peoples, food sovereignty is intimately linked to traditional knowledge, for example: keeping the seeds and ancestral products and recovering traditional commerce and exchange among peoples.

## STRATEGIES FOR ACTION

We indigenous women have identified 4 main strategies to frame our advocacy actions at the local, national and international levels.

- Intergenerational dialogue and transmission of knowledge;
- Information and Communication Technologies (ICTs);
- Strengthening the global movement of indigenous women and capacity building processes;
- Advocacy before own authorities, States, United Nations, global financial institutions and other relevant actors

## Intergenerational dialogue and transmission of knowledge

Intergenerational transmission of knowledge and experiences is essential to ensure indigenous peoples' continuity and the sustainability of the achievements due to years of struggle. Young indigenous women claim that they are not the relay not the substitution of the elders. Rather, young indigenous women ensure continuity and sustainability in the achievement and in the struggle for indigenous peoples' individual and collective rights.

Therefore, indigenous women propose to develop programs and initiatives for monitoring jointly among young women leaders and the wise elders: an intergenerational monitoring process that applies traditional learning forms, such as, advices, dialogues, support, follow up, joint work to enable learning-by-doing and thus, the learning relationship will be mutual and horizontal.

The intergenerational monitoring program will be carried out both within communities as well as among women leaders from different communities in the spaces, trainings, meetings and advocacy conferences at the local, national and international level. Pairs or groups of women from different socio cultural regions will be set to share their days and dialogue about their concerns regarding leadership, organizational strengthening and advocacy.

## Information and Communication Technologies (ICTs)

Indigenous women conceive the adequate use of technologies as a tool for empowerment, political advocacy and for increasing visibility of the situation of indigenous women.

Therefore, we commit to use social networks as a space for creating consensus and coordinating messages to a wider audience, thus amplifying our political advocacy. Thus, indigenous women will continue to advocate in key international, national and local spaces, defining key and concrete messages, identifying recipients and the most suitable means and channels.

This strategy for action involves promoting the use of technological tools and resources such as radio productions in indigenous languages, the preparation of audiovisual productions that can serve as a pedagogical tool, technical training workshops for indigenous peoples in topics such as communication and capacity building. Where the latter already exist, the goal is to strengthen networks of local indigenous communicators, articulated to national networks, and the constitution of such in the countries where they are still inexistent.

Among the advocacy spaces to be prioritized, indigenous women propose to promote the sanction of legislation to enable indigenous peoples to use their own systems of communication and the possibility to produce their own contents.

## **Strengthening the global movement of indigenous women and capacity building processes**

In the last 20 years indigenous women have been empowered at the personal level to develop confidence in our own capacities. We recognize ourselves as right holders and, also at the collective level, we identify specific problems because of our condition as women and as members of indigenous peoples

Processes for empowerment at the local and at the collective level require development of strengthening leaderships and continuous training and capacity building processes based in principles, values and methodologies that are in accordance to our cultural worldview.

Drawing on this Global Plan for Action, we will develop our own plans at the national and regional level in the case they are not already developed, to strengthen the capacities of indigenous women's organizations and networks. In those regions where the plans have already been prepared, they will be adjusted to achieve common global goals to be the foundation of the national, regional and international organizations, with a special focus in Africa and Asia.

Indigenous women commit to participate in the Permanent Forum on Indigenous Issues and other United Nations spaces. Likewise, we commit to strengthen the International Indigenous Women's Forum (IIMI-IWWF) so that it includes representatives of women of every region of the world.

Indigenous women commit to improve accountability and transparency in the managements of our organizations as a way to legitimate leadership and to strengthen our organizations and networks. We will promote the elaboration of joint communication and fundraising proposals.

Indigenous women commit to renew our political cadres and to rotate our organizations' leadership to strengthen community behaviors, processes that build democracy and to facilitate full participation of new generations, in an inclusive and coherent manner and, finally, more power on indigenous women.

### **Advocacy before the States, United Nations and other relevant actors**

Indigenous women must continue to occupy more strategic national, regional and international advocacy spaces, ensuring representation of diverse regions and all ages, to position our perspectives, demands and proposals. Participation enables the consolidation of agreements with networks from other continents, other countries, strengthening us as an indigenous women's movement, unifying our political agenda.

For the next years, the main spaces for international advocacy are the following:

- a) The Commission on the Status of Women (CSW) and the Beijing +20 review.
- b) United Nations Permanent Forum on Indigenous Issues.
- c) Committee on the Elimination of Discrimination against Women (CEDAW)

- d) The Committee on the Elimination of Racial Discrimination (CERD).
- e) World Conference on Indigenous Peoples.
- f) Cairo + 20 review.
- g) Post 2015 Agenda and SDGs
- h) Convention on Biological Diversity (CBD) and negotiations on climate change.
- i) International Human Rights Covenants in particular the International Covenant on Civil and Political rights and the Human Rights Committee.

In each intervention, we must ensure a territorial and collective approach that includes the environment and Mother Earth, based in the notion of buen vivir. Additionally, we will include an intercultural and gender approach that confronts inequity; power relations and structural discrimination faced by indigenous peoples and indigenous women .

For and effective participation, indigenous women will establish an advocacy roadmap to increase political lobby with the actors involved (States, agencies of United Nations systems, multilateral organizations, civil society organizations) and raise the visibility of our proposals.

## **ADVOCACY ROADMAP**

Indigenous women have identified 4 main scenarios from now to 2016. We will advocate for our demands and priorities to be included and we will also promote the inclusion of our proposals as well as acknowledgement of our contributions to the fulfillment to our individual and collective rights.

### **The 4 scenarios are:**

- World Conference on Indigenous Peoples 2014.**
- Beijing+20**
- Cairo +20**
- Post 2015 Development Agenda and Sustainable Development Goals (SDGs)**

### **I. World Conference on Indigenous Peoples 2014**

1. Indigenous women commit to advocate before our States so that the roundtables and the interactive dialogue that will be held during WCIP include the four main themes addressed in the Alta Outcome Document, the specific mention to the situation of indigenous women in each of them, and the inclusion of at least one indigenous woman as a speaker in each of the spaces.

2. Indigenous women stress that at least one of the interactive audiences during the World Conference will center on the situation of indigenous women and that this table will address the issues that have been prioritized in this World Conference of Indigenous Women.

3. Indigenous women call the States to include in their annual reports the status of implementation of the recommendations of the Permanent Forum on Indigenous Issues, and to respond to the final questionnaire on the particular situation of indigenous women in the implementation of the Plan of Action of the Second International Decade of the World's Indigenous Peoples.

4. Indigenous women will demand to our States the inclusion in the WCIP of a firm commitment to increase technical resources and to allocate the necessary resources to ensure the implementation of the mandate and recommendations of the human rights, indigenous peoples' and indigenous women's rights mechanisms such as the Human Rights Council, CEDAW and CERD, the UN Special Rapporteur on the Rights of Indigenous Peoples, as well as other mechanisms such as the Permanent Forum on Indigenous Peoples, The Expert Mechanism on the Rights of Indigenous Peoples and the measures for implementing this Plan of Action, among others.

5. Indigenous women will demand to the UN General Assembly the adoption of a resolution as a result of the WCIP, affirming that indigenous women are collective and individual right holders, and that the States commit to:

a) Ensure full and effective participation of indigenous women in decision-making spaces in all of the issues that affect us, ensuring that our perspectives, rights and proposals will be considered and included in all actions affecting us.

b) Respect indigenous women's sexual and reproductive rights and implement intercultural health programs with indigenous women's free, prior and informed consent.

c) Support and strengthen schools for capacity building and training in leadership and political participation of indigenous women in those regions where they already exist and implement new training processes where they have not yet been developed.

d) Ensure and increase technical assistance and the budgets of State institutions in charge of monitoring and implementing indigenous peoples and indigenous women's rights at the national level, as national human rights institutions, and organism for indigenous peoples and for women.

e) Implement measures for the protection of knowledge on traditional medicines, bearing the rights of intellectual property and the threat of pharmaceuticals bio piracy in mind.

f) Recognize the diverse kinds of violence that affect indigenous women, such as discrimination, racism, structural violence, sexual violence, political violence, violence against Mother Earth and spiritual violence. Implement actions with the participation and consent of indigenous women to prevent and to eliminate violence.

g) Design and implementation of public and State policy for the promotion of the rights of indigenous peoples and indigenous women, with programs and funded with national budgets for implementation.

h) Create mechanisms such as the Office for the Defense of indigenous for the administration of justice and to prevent and sanction violence against women.

6. Regarding communication about the WCIP:

a) We will aim to connect the main messages with the four main themes of the Alta Document, specifying the specificities of indigenous women, with the UN Declaration on the Rights of Indigenous Peoples, connecting them to our experiences at the local level,

b) We will highlight in our messages the link of indigenous women with territory, resources for family nutrition, caregiving, culture and ceremonies. c) We will

make use of different media, channels and materials (radio, leaflets, posters). d) Although access to Internet is often limited in many communities, we will also use social media and access to mass media to reach external audiences.

## II. Beijing+20

1. Indigenous women commit to advocate before our States and UN agencies such as UN WOMEN for indigenous women to be included in the high level panels and roundtables that will be organized during CSW 59th in March 2015, within the examination on the progress made in the implementation of the Beijing Declaration and Platform for Action, 20 years after its adoption in the Fourth World Conference on Women in 1995.

2. Indigenous women will request United Nations Regional Commissions to include the situation of indigenous women in their regional review reports.

3. Indigenous women will advocate in our countries to be included in the consultation processes for the national-level reviews.

4. We will seek financial resources and technical assistance to prepare a global report aimed at monitoring and reporting on the implementation of the Beijing Platform for Action in combination with the UN Declaration on the Rights of Indigenous Peoples, identifying progress made and pending challenges.

5. In follow up to the resolution that was adopted in CSW 56th Session, entitled "Indigenous Women, key agents in the eradication of poverty and hunger"<sup>6</sup>, indigenous women will advocate at the local level for the outcome document to include:

a) Participation of indigenous women in all the process of statistical data collection, in census processes as well as in surveys and other records.

b) Publication of reports on the result of national censuses, including disaggregated data on indigenous peoples and on indigenous women, and ensuring easy access to that information.

c) Technical and financial support to initiatives led by indigenous women's organizations aimed at eliminating violence in the name of tradition and violence against indigenous women.

d) Adoption by UNWOMEN of a Global Policy of Indigenous Women containing the creation of a Global Program for Indigenous Women led by UNWOMEN and including other relevant UN Agencies. Design and implementation of the Global Program with the participation of indigenous women.

e) Participation of indigenous women in every public policy and budget formulation in health, education, development projects, etc.

f) Participation of indigenous women in community monitoring systems in every aspect related to indigenous peoples, such as systems of land use and ownership, traditional occupations and traditional knowledge, among others.

<sup>6</sup>E/CN.6/2012/16

1. Indigenous women commit to seek for funds to create a network of indigenous peoples in articulation with statistics institutions and specialized organizations to develop reports on the situation of indigenous peoples and especially of indigenous women at the national level. We demand the inclusion of progress made in the implementation of the above-mentioned resolution in the States' annual reports.

2. Indigenous women commit to strengthen leadership within our organizations and to include trainings on political rights, legal frameworks and procedures and public policy at the local and national level.

3. We will work in partnership with UN agencies and other actors to ensure full and effective participation of indigenous women and youth in the development of standards, policies, laws and relevant programs.

### **III. Cairo +20**

1. Indigenous women commit to advocate in our States and in UN agencies such as UNFPA, for the inclusion of indigenous women as speakers in the 47th session of the United Nations Population Commission that will be held on April 7-11, 2014 in New York, where an evaluation of the status of implementation of the Cairo Plan of Action will take place<sup>7</sup>.

2. Indigenous women will advocate for States to include the agreements on indigenous peoples in the Montevideo Consensus Document.

Indigenous women will additionally demand the General Assembly to include the following priorities in the outcome document adopted in its 69th session in September 2014 in the occasion of the evaluation of the status of implementation of the Cairo Plan of Action:

a) Allocate specific resources for the implementation of programs carried out by indigenous women, especially in rural and remote areas, to ensure access to public services and intercultural education that can guarantee their sexual and reproductive health and safe maternity as a human right.

b) Guarantee the existence of intercultural health services for indigenous communities, with the necessary equipment and resources for quality and cultural relevance.

c) Ensure trainings and capacity building on intercultural health and on indigenous medicines at every level for every public service.

7 The Session will be chaired by H.E Ambassador Gonzalo Koncke of Uruguay.

d) Ensure the allocation of resources and the participation of indigenous peoples-especially indigenous women- in the design of resources for the collection of data that is sensitive to the specificities of indigenous peoples.

e) Promote the development of workshops and capacity building processes to ensure access to information about contraceptive methods and early diagnosis to prevent unwanted pregnancies and HIV-AIDS

f) Respect the full and effective participation of indigenous women and young girls as a minimum standard in the development of norms, policies, laws and relevant programs.

g) Acknowledge the strong impact of violence in its multiple manifestations in the integral health of indigenous women including the impact of environmental contamination, extractive industries, mining, the use of pesticides and toxic substances, and implement actions with the participation and the consent of indigenous women to prevent an eliminate violence.

1. Young and adult indigenous women commit to foster an inclusive and intergenerational dialogue at the community level, promoting dialogues on Sexual and reproductive rights to sensitize girls and boys and men too, including prevention and treatment of teenage pregnancy.

2. Indigenous women value traditional mechanisms in our cultures to protect and heal those indigenous women that are victims of violence. We commit to seek for funds to develop studies and to strengthen such practices.

3. Indigenous women commit to seek financial and technical resources to develop adequate research, from our own worldview, strengthening community researchers with a gender and intercultural approach to systematize traditional knowledge regarding birth and the health systems in general so that it can be transmitted to our youth

4. Indigenous women commit to promote the realization of sexual health education workshops with cultural relevance to ensure access to information on contraceptive methods, early diagnose and to prevent unwanted pregnancies and sexually transmitted diseases, including HIV.

5. Indigenous women commit to include the situation of urban indigenous women living in cross-border areas in our global agenda, ensuring their participation in our debates and raising awareness on their problems, which are of great concern, such as violence and human, drug and weapon trafficking.

### **IV. Millennium Development Goals and Post 2015 Development Agenda**

1. Indigenous women commit to advocate before our States and UN agencies so that they include the active participation of indigenous women in all the consultation processes at the national and international level, both now in the actual stage of the open group and later in the intergovernmental stage.

2. Indigenous women will strengthen coordination with civil society organizations to increase our capacity for advocacy in the process.

<sup>7</sup>La sesión estará presidida por el Sr. Embajador del Uruguay Gonzalo Koncke.

3. Indigenous women will seek resources and technical assistance to develop research identifying priorities and our own mechanisms to address the development goals post 2015 with culturally relevant indicators.

4. Indigenous women will advocate before the States so that they include the following priorities in the outcome documents for the Post 2015 Development Agenda:

a ) Actions to eliminate inequalities ensure governability from the view of indigenous peoples with free, prior and informed consent as a requirement.

b) Acknowledgement of UN Declaration on the Rights of Indigenous Peoples as an international standard and essential framework to achieve sustainable development.

c) Protection and respect to the rights of indigenous peoples over their lands, territories and resources as a previous requirement to achieve sustainable development.

d) Inclusion of the cultural pillar as the fourth pillar of international development.

e) Recognition of the contribution of traditional knowledge to sustainable development and acknowledgement of the contribution of a diversity of local economies to the process of poverty eradication.

f) Acknowledgement of indigenous peoples' holistic framework for self-determined sustainable development, which includes and combines human rights, based approach, the ecosystem and territorial approaches and the gender perspective.

g) Acknowledgement of indigenous peoples' food sovereignty, including actions towards a transformation of the current nutrition system into one that can ensure that food producers have the same access and control over land, water, seeds, fishing and agricultural bio-diversity.

h) Acknowledge indigenous peoples own judiciary systems, in coordination with the countries' ordinary justice.

i) Allocate sufficient and permanent budget for the development of indigenous peoples and indigenous women's Life Plans.

j) Implement public policy that ensures respect to the human rights of indigenous migrants, both within countries and internationally.

k) Acknowledge the strong impact of violence in its various manifestations in the life of indigenous women and implement actions with their free prior and informed consent and full participation to prevent and eliminate violence.

5. Indigenous women will advocate so that the States will include the following priorities in the Sustainable Development Goals:

a) Include the buen vivir or good living approach, which comprises the rights of indigenous peoples, as a crosscutting aspect in the Sustainable Development Goals.

b) Include health, education, participation and other demands by indigenous children and youth as an essential priority.

c) Implement mechanisms so that the authors of damages to the good living of indigenous peoples and Mother Earth assume their responsibility.

d) Collect disaggregated statistical data for the design and implementation of programs that focus in the situation of indigenous women.

e) Develop intercultural indicators for the good living of indigenous peoples, to monitor and follow up the SDGs.

# WORLD CONFERENCE OF INDIGENOUS WOMEN PROGRESS AND CHALLENGES REGARDING THE FUTURE WE WANT LIMA, 28-30 OCTOBER 2013

## LIMA DECLARATION

### INDIGENOUS WOMEN TOWARDS INCLUSION AND VISIBILITY!

We, Indigenous women from the seven sociocultural regions of the world, met at the World Conference of Indigenous Women, 'Progress and Challenges Regarding the Future We Want' in Lima, Peru, from October 28th to the 30th of 2013. Our gathering included elders and youth, urban and rural, knowledge holders and healers, activists and artists.

We were honoured by the participation of our allies and supporters, including UN agencies, UN mechanisms on Indigenous Peoples, Global Coordinating Group-World Conference of Indigenous Peoples (GCG-WCIP), contributors, governments, and organizations in solidarity. We shared our stories, struggles, victories, challenges and proposals to move us forward, building upon what we have already achieved.

We have based our discussions on the contributions of those women who came before us, as well as our aspirations for future generations. We celebrated the strength, beauty and expertise of Indigenous women at this gathering and around the world.

We, Indigenous women, assert our right to self-determination, which encompasses the direct, full and effective participation of Indigenous Peoples; including the vital role of Indigenous women in all matters related to our human rights, political status, and well-being. We endorse the principle: "Nothing about us, without us", and further declare "Everything about us, with us."

We, Indigenous women, affirm our responsibility to protect the Earth, our Mother. Indigenous women experience the same pain and impacts from the physical abuse and excessive exploitation of the natural world, of which we are an integral part. We will defend our lands, waters, territories and resources, which are the source of our survival, with our lives.

Protection of Mother Earth is a historic, sacred and continuing responsibility of the world's Indigenous Peoples, as the ancestral guardians of the Earth's lands, waters, oceans, ice, mountains and forests. These have sustained our distinct cultures, spirituality, traditional economies, social structures, institutions, and political relations from immemorial times. Indigenous women play a primary role in safeguarding and sustaining Mother Earth and her cycles.

Today, at this time of compounded crises of climate change and impending irreversible loss of biological diversity, we, Indigenous women, underscore the duty of States to protect the territories of Indigenous Peoples,

as critical areas for the social, cultural and ecological recovery and resilience of humankind and the natural world.

For Indigenous Peoples, our lands and territories comprise not only the geographical and physical areas of our lands, waters, oceans, ice, mountains and forests, but also the profound cultural, social and spiritual relationships, values and responsibilities, that connect us to our ancestral homelands.

Indigenous peoples' sovereign jurisdiction over our lands, territories and resources is the foundation of our rights to self-determination, self-governance and free, prior and informed consent. State violations and failure to uphold these rights are a primary source of conflicts and overlapping claims by extractive industries, forest concessions, energy programmes, and other harmful projects arising from a failed and exploitative model of economic growth and development.

Indigenous women call upon states to recognize and respect our rights to lands, territories and resources as enshrined in Indigenous customary law, the UN Declaration on the Rights of Indigenous Peoples, and other international human rights instruments. This includes our right to freely pursue our own economic, social, and cultural development.

There is an urgent need to implement the rights enshrined in the UN Declaration on the Rights of Indigenous Peoples. Indigenous women are active human rights defenders of all individual and collective human rights of our peoples. We often bear the burden of social and environmental harms arising from the consistent denial and violation of our human rights and the lack of implementation and accountability of States.

Indigenous women and girls experience multiple forms of discrimination, lack of access to education and health care, high rates of poverty, maternal and child mortality. We are subject to all forms of violence, such as domestic violence and sexual abuse, including in the contexts of trafficking, armed conflict, environmental violence and extractive industries.

As Indigenous women, we recognize the importance of sexual and reproductive health and education for all ages. This includes our associated rights to culturally appropriate health and education services in our communities, and the right to exercise, maintain, and control our own health knowledge and practices.

We call for zero tolerance for all forms of discrimination, and all forms of violence against Indigenous women and girls, which are among the worst and most pervasive forms of human rights violations perpetrated against Indigenous Peoples.

Finally, we affirm that Indigenous women have knowledge, wisdom, and practical experience, which has sustained human societies over generations. We, as mothers, life givers, culture bearers, and economic providers, nurture the linkages across generations and are the active sources of continuity and positive change.

#### **In regard to forthcoming global events:**

1. We call upon the WCIP to include the proposals in the Alta Outcome Document for the establishment of effective mechanisms to hold States accountable to their human rights and other obligations.
2. We call upon the WCIP to prioritize the issues and concerns of Indigenous Women in all the themes, organizational arrangements, outcome documents, and to ensure the full and effective participation of Indigenous women, including elders and youth, as well as to prioritize the effective implementation of the Action Plan and recommendations arising from the Global Conference of Indigenous Women.
3. We call upon States, the UN system, and all relevant actors to ensure the effective implementation of the Plan of Action and Recommendations arising from the World Conference of Indigenous Women, including through the provision of sufficient financial resources and other support

within the frameworks and processes of Beijing+20, Cairo+20 and the Post 2015 Development Agenda, processes in which States, the UN system, and all relevant actors should also ensure the full and effective participation of Indigenous women, including elders and youth.

4. We, Indigenous women, ratify the Beijing Declaration of Indigenous Women subscribed in Huairou, China, 1995. We do so because the recommendations of this Declaration, written 18 years ago, are still valid. Thus, we call upon States, the UN system, and all relevant actors to ensure the effective implementation of these recommendations.

We thank our hosts, the Indigenous Peoples and the Government of Peru, in particular CHIRAPAQ, Centre for Indigenous Cultures of Peru, and the International Indigenous Women's Forum, Continental Network of Indigenous Women of the Americas, Asia Indigenous Peoples' Pact, The African Indigenous Women's Organization, Alianza de Mujeres Indígenas de Centroamérica y México, Asian Indigenous Women's Network, Indigenous Women's Human Rights Council of the Pacific Region, and Indigenous Information Network.

Also, we thank all our supporters, UNPFII, UN Women, FAO, UNFPA, UNDP, Ministerio de Cultura del Perú, The Christensen Fund, Tamalpais Trust, Fondo Indígena, AECID, Global Fund for Women, IWGIA, Channel Foundation, Mama Cash, and Ford Foundation. Together, we will continue the construction of our movement in favor of our rights.

Lima, October 30th, 2013

#### **UNDERSIGNED BY**

##### **ÁFRICA**

1	Cameroon	Bouba Aeisatu	The Mbororo Pastoralists and Forest Women
2	Cameroon	Gambo Aminatu Samiratu	Lelewal Foundation
3	Congo	Nzimba Carine	Asociación por los derechos de las mujeres indígenas del Congo
4	Kenia	Edna Kayotopo	Indigenous Information Network
5	Kenia	Joseph Ole Simel	GCG – África
6	Kenia	Eunice Sinore	MPIDO
7	Kenia	Agnes Leina	Il'laramatak Community Concerns – ICC
8	Kenia	Maria Ngitari Latobany	ESEC Women Group – Samburu County
9	Kenia	Anne Siantayo Samate	MPIDO
10	Kenia	Raffala Bulyaar	Kivulini Trust
11	Kenia	Alice Lesepen	Merigo Indigenous Women Group
12	Nigeria	Martha Neanwi Agbani	MOSOP
13	Rwanda	Martha Muhawenimana	COPORWA
14	Rwanda	Kanzayire Dativa	Association pour le Développement Global des Batwa du Rwanda – ADBR
15	South Africa	Delaria Baba Festus	Kalagadi Youth and Women Development Network
16	Sudan	Winnie Kodi	Delibaya Nuba Women Development Organization
17	Tanzania	Esupat Ngulupa	Indigenous Information Network
18	Uganda	Margaret Lomonyang	Indigenous Information Network



## THE ARTIC

19	Canada	Ruth Massie	Council of Yukon First Nations
20	Alaska	Monica Charles Leinberger	Tundra Women's Coalition
21	Alaska	Dalee Sambo Dorough	UNPFII
22	Finland	Anne Aikio	
23	Finland	Toumas Aslak Juuso	GCG - Youth Caucus
24	Greenland	Aili Liimakka Laue	ICC
25	Greenland	Aviaja Egede Lynge	ICC
26	Norway	Gudrun E E Lindi	Sami Women's Forum
27	Norway	Gunn Minde	Norgga Sarahkka

## ASIA

28	Bangladesh	Myentthein Promila	AIPP
29	Cambodia	Sreynean Loek	Cambodia Indigenous Youth Association
30	China	Xingmei Long	Eco-Women
31	China	Xiaohan Ye	Eco-Women
32	Taiwan	Jocelyn Hung Chien	Youth Caucus
33	Philippines	Victoria Tauli-Corpuz	TEBTEBBA
34	Philippines	Raymond de Chavez	TEBTEBBA
35	Philippines	Joji Carino	Forrest People Program
36	Philippines	Mila Lingbawan Singson	AIPP
37	Philippines	Dumas Mary Louise	Madagway Babaeyon under Amihan NMR
38	India	Sushila Maya Gole	Nepal Rirae Rai Org.
39	India	Mamta Kujur	AIPP
40	India	Meenakshi Munda	Asia Pacific Indigenous Youth Network
41	Indonesia	Romba Marannu Sombolinggi	PeremPuan
42	Malaysia	Cynthia Ong	Land Empowerment Animal People
43	Nepal	Chet Kumari	Indigenous Peer Group Nepal
44	Nepal	Yasso Kanti Bhattanchan	NIWF
45	Nepal	Shanti Jirel	NIWF
46	Thailand	Nittaya Earkanna	AIPP
47	Thailand	Joan Carling	GCG – Asia / AIPP
48	Thailand	Wanitchaya Kanthayuang	IWNT
49	East Timor	Merita Marques	FEEO

## LATIN AMERICA

50	Argentina	Isabel Condori	CONAMI
51	Argentina	Elizabeth González	CONAMI
52	Argentina	Carmen Liliana Burgos	CONAMI
53	Argentina	Verónica Huilipan	COM
54	Argentina	Mariel de los Angeles	CONAMI
55	Argentina	Natalia Sarapura	Fondo Indígena
56	Argentina	Eva Gamboa	CONAMI
57	Belize	Dona Felicita Cantun	Instituto Maya de Belice
58	Bolivia	Mariana Guasania	CIDOB
59	Bolivia	Judyth Rivero	CNAMIB
60	Bolivia	Elizabeth Osco Mamani	Gobierno Autónomo Municipal de Pucarani
61	Bolivia	Demetria Huallpa Donoso	SITRAHOS
62	Bolivia	Bernardina Laura Patti	Centro de Mujeres Candelaria
63	Bolivia	Juanita Ancieta	CNMCIQB Bartolina Sisa
64	Bolivia	Teresa Santusa Alarcón	CNMCIQB Bartolina Sisa
65	Brazil	Chirley De Souza Almeida S.	CONAMI
66	Brazil	Samantha de Carvalho	Comisión Nacional de la Juventud
67	Brazil	Francinara Soares Martins	COIAB
68	Chile	Diva Millapan	Red de Mujeres Mapuche de Chile
69	Chile	Inés Carbajal	
70	Chile	Jeannette Paillán	CLACPI
71	Colombia	Roseli Finscuae	ONIC-CRIC
72	Colombia	Ligia Valenzuela	ONIC
73	Colombia	Clemencia Herrera	Corporación Cultural Ecológica MUTESA
74	Colombia	Carol González	OPIAC - COICA
75	Colombia	Gerardo Jumí	CAOI
76	Colombia	Rosalba Velasco	ACIN

77	Colombia	Evelyn Acosta	Fuerza de Mujeres Wayuu
78	Colombia	Emilse Paz Labio	ACIN
79	Colombia	Marcela Amador Ospina	Corporación Ensayo
80	Costa Rica	Irma Maroto	Foro Nacional de Mujeres Indígenas de Costa Rica
81	Costa Rica	Esther Camac	Asociación Ixa Cavaa para la Información y el Desarrollo Indígena
82	Costa Rica	Magaly Lazaro	Mesa Nacional de la Juventud
83	Ecuador	Silvia Tibi	CONAIE
84	Ecuador	Gloria Ushigua Santi	Asoc. de Mujeres Sapara del Ecuador "Ashinwaka"
85	Ecuador	Mónica Chuji	GONOA (Ex CONFENIAE)
86	Ecuador	Blanca Chancoso	ECUARUNARI
87	Ecuador	Carmen Lozano	ECUARUNARI
88	El Salvador	Betty Pérez	CCNIS / CICA
89	El Salvador	Amadeo Martínez	CICA
90	Guatemala	Everarda Tista de León	CONAVIGUA
91	Guatemala	Rosalina Tuyuc	CONAVIGUA
92	Guatemala	Manuela Alvarado	Alianza Política Sector de Mujeres
93	Guatemala	Alvaro Pop	UNPFII
94	Guatemala	Teresa Zapeta	Alianza de Mujeres Indígenas de Centroamérica y México
95	Guatemala	Matilde Chocooj Coc	Cultural Survival
96	Guatemala	Maria del Rosario Sul Gonzales	Asociación de Radio Ixchel
97	Guatemala	Norma Sactic Suque	CONMAGAXI
98	Guatemala	Otilia Lux	FIMI-IIWF
99	Guatemala	Paola Nicté Coti Lux	Asociación Con Ciencia
100	Honduras	María Esperanza Pineda	COMPAH
101	Honduras	Reina Corea López	Movimiento Indígena Lenca
102	Honduras	Wendy García	COMPAH
103	Mexico	Dulce Patricia Torres Sandoval	CONAMI
104	Mexico	Fabiola del Jurado	CONAMI
105	Mexico	Norma Don Juan Pérez	CONAMI
106	Mexico	Margarita Gutiérrez	COEMI / CONAMI
107	Mexico	Elvia Beltrán Villade	RITA / CIMA
108	Mexico	Guadalupe Martínez	Alianza de Mujeres Indígenas de Centroamérica y México
109	Mexico	Dalí Angel	Red de Jóvenes Indígenas de Centroamérica y México
110	Mexico	Martha Sánchez	Alianza de Mujeres Indígenas de Centroamérica y México
111	Mexico	Teresa Emeterio	Consorcio para el Diálogo Parlamentario
112	Nicaragua	Mirna Cunningham	UNPFII / CADPI
113	Nicaragua	Mirna Taylor	AMICA
114	Nicaragua	Margarita Antonio	CADPI
115	Nicaragua	Daisy George	GRAAN AMICA
116	Panamá	Antonia Alba	CONAMUIP
117	Panamá	Betzaida Davis	CONAMUIP
118	Panamá	Juliana Prado	ASMUNG
119	Panamá	Dialys Ehrman	Alianza de Mujeres Indígenas de Centroamérica y México
120	Panamá	Marieta Cases	ASMUNG
121	Panamá	Ana de Obaldía	ASMUNG
122	Paraguay	Hilaria Cruzabie	CONAMURI
123	Paraguay	Ángela Sales	Consejo Continental de la Nación Guaraní
124	Paraguay	Faustina Alvarenga	REDMIB LAC
125	Peru	Elsa Cardenas Reinaga	OMIL
126	Peru	Clelia Rivero Reginaldo	ONAMIAP
127	Peru	Rocío Chanca	ONAMIAP
128	Peru	Angela Chislla Palomino	ONAMIAP
129	Peru	Yerli Ventura Amasifuen	ONAMIAP
130	Peru	Tania Pariona	REOJIP /GCG - Youth
131	Peru	Jaqueline Pérez Suasnabar	REOJIP
132	Peru	Ruth Francisco	REOJIP
133	Peru	Yenne Bellido Béjar	Coordinadora Nacional de Comunicación Indígena
134	Peru	Irene Guimaraes Rojas	Coordinadora Nacional de Comunicación Indígena

135	Peru	Rogelia Lizana Rupay	Coordinadora Nacional de Comunicación Indígena
136	Peru	Soledad Carrasco	Coordinadora Nacional de Comunicación Indígena
137	Peru	Cecilia Brito	CODEMIA
138	Peru	Pepita del Pilar Pereira C.	ORDEPIAA
139	Peru	Ana Isabel Dariquebe	FENAMAD
140	Peru	Valbina Miguel Toribio	FECONAYA
141	Peru	Morelia Núñez Miguel	FECONAYA
142	Peru	Roxana Valencia	OMIL
143	Peru	Toribia Ojeda	FEMCA
144	Peru	Rocío Vanesa Aguilar	Asociación de Mujeres Indígenas Tahuantinsuyo
145	Peru	Amalia Luisa Florecin Paredes	Asociación de Mujeres Indígenas Tahuantinsuyo
146	Peru	Giovanna Altamira Huaman	Mujeres Unidas para un Pueblos Mejor
147	Peru	Elizabeth Dania Luyo	Mujeres Unidas para un Pueblos Mejor
148	Peru	Tarcila Rivera Zea	CHIRAPAQ / ECMIA
149	Peru	Nadesca Pachao	CHIRAPAQ
150	Peru	Rita Castañeda	CHIRAPAQ
151	Peru	Celia Acasio	CHIRAPAQ
152	Peru	Beatriz Caritimari	FECONACHA
153	Peru	Rosa Poma	OMIL
154	Uruguay	Mónica Michelena Díaz	CONACHA

## NORTH AMERICA

155	Canada	Willie Littlechild	EMRIP-OHCHR
156	Canada	Viviane Michel	FAQ-QNW
157	Canada	Joanne Ottereyes	FAQ-QNW
158	Canada	Linda Arsenault-Papatsie	Pauuktuutit
159	Canada	Isabella Marble	AFN
160	Canada	Therese Villeneuve	AFN
161	Canada	Andrea Landry	National Association of Friendship Centers
162	Canada	Barbara Morin	NWAC
163	United States	Rosalee González	Red Xicana Indígena
164	United States	Agnes Williams	Indigenous Women's Network
165	United States	Cynthia Pérez	Indigenous Women's Network
166	United States	Andrea Carmen	CITI
167	United States	Alyssa Macy	GCG - Women's Caucus / IITC
168	United States	Eve Reyes-Aguirre	GCG - Women's Caucus
169	United States	Charlene O'Rourke	The FUSION Foundation
170	United States	Nellis Kennedy	The Sierra Club
171	United States	Suzanne Benally	Cultural Survival

## THE PACIFIC

172	Australia	Dea Thiele	The Pacific Indigenous Womans' Human Rights Council
173	Australia	Sandra Creamer	The Pacific Indigenous Womans' Human Rights Council
174	Hawaii	Mililani Trask	The Pacific Indigenous Womans' Human Rights Council
175	Hawaii	Kaimana Barcarse	Cultural Survival
176	Guam	Lisa Natividad	The Pacific Indigenous Womans' Human Rights Council
177	Indonesia	Ghazali Ohorella	The Pacific Indigenous Womans' Human Rights Council
178	New Zealand	Hema Wihongi-Broad	The Pacific Indigenous Womans' Human Rights Council
179	New Zealand	Au'Birthly Kingi	The Pacific Indigenous Womans' Human Rights Council
180	Papua New Guinea	Rose Pihei	Autonomous Bougainville Government

## RUSSIA

181	Russia	Liubov Passar	RAIPON
182	Russia	Nadezda Bulatova	RAIPON
183	Russia	Butylkina Polina	CSIPN/RITC
184	Russia	Elida Atlasova	Yukagir Elders Council
185	Russia	Rodion Sulyandziga	UNPFII / RAIPON

## SUPPORTED BY

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187	Denmark	Caecilie Mikkelsen	IWGIA
188	United States	China Ching	The Christensen Fund
189	United States	Yeshi Tekle Michael	The Christensen Fund
190	United States	Lourdes Inga	The Christensen Fund
191	United States	Felipe Agüero	Ford Foundation
192	Spain	Patricia Borraz	ALMACIGA
193	Paraguay	Elba Núñez	CLADEM
194	United States	Danielle DeLuca	Cultural Survival
195	United States	Jessie Cherofsky	Cultural Survival
196	United States	Maylei Blackwell	FIOB
197	Bolivia	Amparo Morales	Fondo Indígena
198	Peru	Karina Vargas	GIZ
199	Canada	Pilar Montalvo	GTIIVS - IIWGHA
200	Peru	Zulema Burneo	International Land Coalition
201	Chile	Perla Manquian	JJCC Chile
202	Holanda	Jana Pesoutova	Leiden University
203	Canada	Jennifer Piccin	
204	Peru	Mariela Portugal	Pan Para el Mundo
205	Argentina	Mariana López	FIMI-IWF
206	Argentina	Ines Finchelstin	FIMI-IWF
207	Colombia	Yohanis Amador	FIMI-IWF
208	Mexico	Dolores Figueroa	FIMI-IWF
209	Mexico	Cecilia Ramirez	FIMI-IWF
210	Nicaragua	Maria Manuela Sequeira	FIMI-IWF
211	Nicaragua	Nadezhda Fenly	FIMI-IWF
212	Bolivia	María de Lourdes Pérez Enríquez	
213	Bolivia	Aracely Burguete Cal y Mayor	CIESAS - Sureste
214	United States		Global Fund for Women
215	Ecuador	Rocio Rocero	ACDemocracia
216	Chile	Alejandra Faúndez	Inclusión y Equidad
217	Chile	Luis Toro	
218	United States	Natalia Caruso	MADRE
219	United States	Bridget Barry	The Hunger Project
220	Mexico	Maribel Gallardo	The Hunger Project
221	Peru	Lili Avensur	Terra Nuova
222	Peru	Nestor Casafranca	CHIRAPAQ
223	Peru	Róger Rumrill	CHIRAPAQ
224	Peru	Verónica Vargas	CHIRAPAQ
225	Peru	Maria Ponce	CHIRAPAQ
226	Peru	Sonia Chia	CHIRAPAQ
227	Peru	Newton Mori	CHIRAPAQ
228	Peru	Angélica Ganiko	CHIRAPAQ
229	Peru	José Antonio Martínez	CHIRAPAQ
230	Peru	Luis Reyes	CHIRAPAQ

# CONVENTION ON BIOLOGICAL DIVERSITY 1992

## *The Contracting Parties,*

1. Conscious of the intrinsic value of biological diversity and of the ecological, genetic, social, economic, scientific, educational, cultural, recreational and aesthetic values of biological diversity and its components.

2. Conscious also of the importance of biological diversity for evolution and for maintaining life sustaining systems of the biosphere,

5. Reaffirming also that States are responsible for conserving their biological diversity and for using their biological resources in a sustainable manner,

9. Noting also that where there is a threat of significant reduction or loss of biological diversity, lack of full scientific certainty should not be used as a reason for postponing measures to avoid or minimize such a threat.

12. Recognizing the close and traditional dependence of many indigenous and local communities embodying traditional lifestyles on biological resources, and the desirability of sharing equitably benefits arising from the use of traditional knowledge, innovations and practices relevant to the conservation of biological diversity and the sustainable use of its components,

13. Recognizing also the vital role that women play in the conservation and sustainable use of biological diversity and affirming the need for the full participation of women at all levels of policy-making and implementation for biological diversity conservation,

21. Noting that, ultimately, the conservation and sustainable use of biological diversity will strengthen friendly relations among States and contribute to peace for humankind,

## *Have agreed as follows:*

### **Article I. Objectives**

The objectives of this Convention, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.

### **Article 8. In-situ Conservation**

Each Contracting Party shall, as far as possible and as appropriate:

d) Promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings;

e) Promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of these areas:

g) Establish or maintain means to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology which are likely to have adverse environmental impacts that could affect the conservation and sustainable use of biological diversity, taking also into account the risks to human health:

j) Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices:

k) Develop or maintain necessary legislation and/or other regulatory provisions for the protection of threatened species and populations:

### **Article 9. Ex-situ Conservation**

Each Contracting Party shall, as far as possible and as appropriate, and predominantly for the purpose of complementing in-situ measures:

d) Regulate and manage collection of biological resources from natural habitats for ex-situ conservation purposes so as not to threaten ecosystems and in-situ populations of species, except where special temporary ex-situ measures are required under subparagraph (c):

### **Article 10. Sustainable Use of Components of Biological Diversity**

Each Contracting Party shall, as far as possible and as appropriate:

c) Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements;

d) Support local populations to develop and implement remedial action in degraded areas where biological diversity has been reduced; and

### **Article 14. Impact Assessment and Minimizing Adverse Impacts**

1. Each Contracting Party, as far as possible and as appropriate, shall:

a) Introduce appropriate procedures requiring environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimizing such effects and, where appropriate, allow for public participation in such procedures;

c) Promote, on the basis of reciprocity, notification, exchange of information and consultation on activities under their jurisdiction or control which are likely to significantly affect adversely the biological diversity of other States or areas beyond the limits of national jurisdiction, by encouraging the conclusion of bilateral, regional or multilateral arrangements, as appropriate;

### **Article 16. Access to and Transfer of Technology**

2. Access to and transfer of technology referred to in paragraph 1 above to developing countries shall be provided and/or facilitated under fair and most favourable terms, including on concessional and preferential terms where mutually agreed, and, where necessary, in accordance with the financial mechanism established by Articles 20 and 21. In the case of technology subject to patents and other intellectual property rights, such access and transfer shall be provided on terms which recognize and are consistent with the adequate and effective protection of intellectual property rights. The application of this paragraph shall be consistent with paragraphs 3, 4 and 5 below.

3. Each Contracting Party shall take legislative, administrative or policy measures, as appropriate, with the aim that Contracting Parties, in particular those that are developing countries, which provide genetic resources are provided access to and transfer of technology which makes use of those resources, on mutually agreed terms, including technology protected by patents and other intellectual property rights, where necessary, through the provisions of Articles 20 and 21 and in accordance with international law and consistent with paragraphs 4 and 5 below.

### **Article 17. Exchange of Information**

2. Such exchange of information shall include exchange of results of technical, scientific and socio-economic research, as well as information on training and surveying programmes, specialized knowledge, indigenous and traditional knowledge as such and in combination with the technologies referred to in Article 16, paragraph 1. It shall also, where feasible, include repatriation of information.

### **Article 18. Technical and Scientific Cooperation**

4. The Contracting Parties shall, in accordance with national legislation and policies, encourage and develop methods of cooperation for the development and use of technologies, including indigenous and traditional technologies, in pursuance of the objectives of this Convention. For this purpose, the Contracting Parties shall also promote cooperation in the training of personnel and exchange of experts.

5. The Contracting Parties shall, subject to mutual agreement, promote the establishment of joint research programmes and joint ventures for the development of technologies relevant to the objectives of this Convention.

### **Article 20. Financial Resources**

2. The developed country Parties shall provide new and additional financial resources to enable developing country Parties to meet the agreed full incremental costs to them of implementing measures which fulfil

the obligations of this Convention and to benefit from its provisions and which costs are agreed between a developing country Party and the institutional structure referred to in Article 21, in accordance with policy, strategy, programme priorities and eligibility criteria and an indicative list of incremental costs established by the Conference of the Parties. Other Parties, including countries undergoing the process of transition to a market economy, may voluntarily assume the obligations of the developed country Parties. For the purpose of this Article, the Conference of the Parties, shall at its first meeting establish a list of developed country Parties and other Parties which voluntarily assume the obligations of the developed country Parties. The Conference of the Parties shall periodically review and if necessary amend the list. Contributions from other countries and sources on a voluntary basis would also be encouraged. The implementation of these commitments shall take into account the need for adequacy, predictability and timely flow of funds and the importance of burden-sharing among the contributing Parties included in the list.

3. The developed country Parties may also provide, and developing country Parties avail themselves of, financial resources related to the implementation of this Convention through bilateral, regional and other multilateral channels.

4. The extent to which developing country Parties will effectively implement their commitments under this Convention will depend on the effective implementation by developed country Parties of their commitments under this Convention related to financial resources and transfer of technology and will take fully into account the fact that economic and social development and eradication of poverty are the first and overriding priorities of the developing country Parties.

7. Consideration shall also be given to the special situation of developing countries, including those that are most environmentally vulnerable, such as those with arid and semi-arid zones, coastal and mountainous areas.

**Article 25. Subsidiary Body on Scientific, Technical and Technological Advice**

2. Under the authority of and in accordance with guidelines laid down by the Conference of the Parties, and upon its request, this body shall:

c) Identify innovative, efficient and state-of-the-art technologies and know-how relating to the conservation and sustainable use of biological diversity and advise on the ways and means of promoting development and/or transferring such technologies:

d) Provide advice on scientific programmes and international Cooperation in research and development

related to conservation and sustainable use of biological diversity;

**Annex I**

**IDENTIFICATION AND MONITORING**

2. Species and communities which are: threatened: wild relatives of domesticated or cultivated species; of medicinal, agricultural or other economic value; or social, scientific or cultural importance: or importance for research into the conservation and sustainable use of biological diversity, such as indicator species.

# UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES 2006

*The General Assembly,*

2. *Affirming* that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such,

5. *Reaffirming* that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

7. *Recognizing* the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,

10. *Convinced* that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs,

14. *Considering* that the rights affirmed in treaties, agreements and other constructive arrangements between States and indigenous peoples are, in some situations, matters of international concern, interest, responsibility and character,

16. *Acknowledging* that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights<sup>8</sup> and the International Covenant on Civil and Political Rights,<sup>9</sup> as well as the Vienna Declaration and Programme of Action, affirm the fundamental importance of the right to self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

17. *Bearing* in mind that nothing in this Declaration may be used to deny any peoples their right to self-determination, exercised in conformity with international law,

18. *Convinced* that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

22. *Recognizing* and reaffirming that indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples,

23. *Recognizing* that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration,

## **Article 2**

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

## **Article 4**

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

## **Article 7**

2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

## **Article 10**

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

## **Article 13**

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

## **Article 14**

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

## **Article 15**

2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

<sup>8</sup>See Resolution 2200 A (XXI), anexo.

<sup>9</sup>A/CONF.157/24(Part I), cap. III.



**Article 17**

2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.

**Article 19**

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

**Article 20**

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

**Article 21**

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

**Article 24**

2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

**Article 25**

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

**Article 26**

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

**Article 27**

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions,

customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

**Article 28**

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.

**Article 30**

1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.  
2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

**Article 32**

2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

**Article 33**

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.

**Article 34**

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

**Article 37**

2. Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements.

**Article 40**

Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

**Article 42**

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

**Article 43**

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

**Article 44**

All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.

**Article 45**

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

# MONTEVIDEO CONSENSUS ON POPULATION AND DEVELOPMENT 2013

## PREAMBLE

10. *Keeping in mind* the Convention on the Elimination of All Forms of Discrimination against Women, the Platform for Action adopted at the Fourth World Conference on Women in Beijing in October 1995, the Quito Consensus, adopted at the tenth session of the Regional Conference on Women in Latin America and the Caribbean, held in Quito in August 2007, the Brasilia Consensus, adopted at the eleventh session of the Regional Conference on Women in Latin America and the Caribbean, held in Brasilia in July 2010, and the conclusions on the elimination and prevention of all forms of violence against women and girls, agreed in 2013 at the fifty-seventh session of the Commission on the Status of Women,

11. *Bearing in mind* also the Convention on the Rights of the Child and its two optional protocols and resolution 2012/1, adopted by the Commission on Population and Development in April 2012 at its forty-fifth session, in which Governments are urged to protect the human rights of boys, girls, adolescents and youth,

12. *Bearing in mind* further the San José Charter on the Rights of Older Persons in Latin America and the Caribbean, adopted at the Third Regional Intergovernmental Conference on Ageing in Latin America and the Caribbean, held in 2012 on the occasion of the tenth anniversary of the Second World Assembly on Ageing of 2002,

13. *Recognizing* the progress achieved by the United Nations Open-ended Working Group on Ageing and welcoming resolution 67/139 of the United Nations General Assembly establishing that the Group shall, as part of its mandate and starting from its fourth session, to be held in 2013, consider proposals for an international legal instrument to promote and protect the rights and dignity of older persons,

14. *Considering* the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, resolution 615(XXXI) on international migration, adopted at the thirty-first session of the Economic Commission for Latin America and the Caribbean, which was held in Montevideo in March 2006, and General Assembly resolution 67/219 of 21 December 2012 on international migration and development, which acknowledges the important and complex interrelationship between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries of origin, transit and destination,

16. *Taking into account* resolution 61/295 of 10 December 2007, wherein the General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples, article 42 of which states that the United Nations and States shall promote respect for and full application of the provisions of this Declaration and shall follow up on its effectiveness,

17. *Keeping in mind* the Durban Declaration and

Programme of Action, which was adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001, and resolution 67/155, in which the General Assembly decided to launch a preparatory process with a view to the proclamation in 2013 of the International Decade for People of African Descent,

18. *Bearing in mind* the recommendations of the United Nations Permanent Forum on Indigenous Issues, as well as the reports of the Expert Mechanism on the Rights of Indigenous Peoples, the Special Rapporteur on the rights of indigenous peoples and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

19. *Bearing in mind* also the important contribution of the Convention on the Rights of Persons with Disabilities in incorporating disability-related issues as an integral part of national sustainable development strategies, from a human rights perspective, with equality and without discrimination,

20. *Keeping in mind* resolution 2012/1 adopted in April 2012 by the United Nations Commission on Population and Development at its forty-fifth session and the Bali Declaration adopted in December 2012 by the Global Youth Forum, in which Governments are urged to protect the human rights of adolescents and youth to enable them to take control of their sexual health and reproductive health and decide freely and responsibly on such matters, free from coercion, discrimination or violence and to provide them with comprehensive education on sexuality, human rights and gender equality,

21. *Highlighting* the integrated approach to development that has marked the thinking of the Economic Commission for Latin America and the Caribbean since its inception, and the promotion, at the recent sessions of the Commission, of equality as the overarching normative ethical principle and the ultimate objective of development, and recognizing the work of the United Nations Population Fund with respect to adolescents, young people and gender equity,

29. *Considering* also the Final Declaration of the International Forum on Afro-descendent Youth, which contains recommendations on policies for young people in the areas of health, education, decent work, rights, sexuality and social participation,

34. *Recognizing* that, notwithstanding the significant advances achieved in the region in promoting, protecting and guaranteeing human rights over the past 20 years, these advances have not reached the entire population and that, while economic and social inclusion policies have enhanced opportunities and well-being, many people still live in extreme poverty and face inequalities as a result of historically entrenched patterns and new forms of discrimination, and, as such, are unable to exercise their rights fully,

36. *Recognizing* that the Earth and its ecosystems are important for achieving a proper balance between the economic, social and environmental needs of present and future generations,

37. *Affirming* that freedom, capacities and the right to take informed decisions, empower persons to develop their potential and participate fully in the economic and social spheres; that the realization of human potential and innovation depend on guaranteed human rights, physical integrity and protection against violence and that the right to health, education, housing and a livelihood ensures full empowerment and inclusion of all,

38. *Reaffirming* that the promotion and protection of sexual rights and reproductive rights are essential for the achievement of social justice and the national, regional and global commitments to the three pillars of sustainable development: social, economic and environmental,

39. *Recognizing* that population dynamics—growth and decline, changes in the age structure, urbanization, migration and changing household and family structures— influence the opportunities for human development, are shaped by the decisions that people take and are essential for planning economic and social growth as well as for the three pillars of sustainable development: social, economic and environmental,

40. *Reaffirming* that poverty, in all its manifestations, is essentially a denial of rights and that poverty eradication is a moral imperative for the region which Governments must address,

41. *Underscoring* that the preparation of public statistics by State agencies must be consistent with an inclusive approach which encompasses the broad range of rights under public policy and that the information generated on Afro-descendent populations, indigenous populations, persons with disabilities, lesbian, gay, bisexual and transgender persons, gender, social inequalities and gaps, ageing and other issues constitutes a basic input for public policy formulation and is vital for monitoring the objectives established in national and regional agendas.

## GENERAL PRINCIPLES

*Decide*, by virtue of these general principles, to:

46. Highlight the need for a cross-cutting, universal, comprehensive, inclusive and equitable approach, based on equality, solidarity, and respect for dignity and human rights in order to address the needs of all vulnerable groups and related issues in connection with health, education, community, governance and sustainability for the implementation of the Cairo Programme of Action at the regional level and key actions for its further implementation and follow-up beyond 2014;

47. Reaffirm that a secular State is one of the elements fundamental to the full exercise of human rights, the deepening of democracy and the elimination of all forms of discrimination;

48. Reaffirm also the importance of strengthening participatory forms of government as a guarantee for the effective exercise of democracy;

49. Strengthen the role of the State and enhance its capacity for strategic management from a long term and national development perspective;

50. Recognize that enabling the voices and interests of

all men and women is essential in order to advance towards sustainable development and that responsible governance and robust institutions are fundamental for social and economic inclusion and sustainability;

55. Recognize that a favourable economic environment where peace and governance prevail at all levels is indispensable for solving population and development problems;

## PRIORITY ACTIONS

### A. FULL INTEGRATION OF POPULATION DYNAMICS INTO SUSTAINABLE DEVELOPMENT WITH EQUALITY AND RESPECT FOR HUMAN RIGHTS

*Agree to:*

1. Reinforce the public policies and actions needed to eradicate poverty and break the cycles of exclusion and inequality as a condition for achieving development in the region;

2. Apply a human rights approach with a gender and intercultural perspective in addressing population and development issues, and step up efforts to recognize, promote and uphold relevant goals in order to eliminate inequalities and foster social inclusion;

4. Ensure full integration of population dynamics into sustainable development planning, sectoral policies and public policies and programmes in general - in particular in development and land use planning - at national and subnational levels, drawing on socio demographic knowledge and information and harnessing technological advances;

5. Pursue sustainable development as a means of securing now and in the future human well-being for all peoples on an equitable basis, and ensuring that the linkages between population, resources, the environment and development are fully recognized, appropriately administered and maintained in a harmonious and dynamic balance with a thriving biodiversity and healthy ecosystems;

## **B. RIGHTS, NEEDS, RESPONSIBILITIES AND REQUIREMENTS OF GIRLS, BOYS, ADOLESCENTS AND YOUTH**

*Considering* that the 15-29 age group in the region now numbers some 160 million persons in other words, young people account for one quarter of the population and that the demographic dividend offers a unique opportunity for social investment in adolescence and youth, based on intergenerational solidarity, an investment which is essential for the three pillars of sustainable development: social, economic and environmental,

*Reiterating* the objective of addressing the specific needs of adolescents and youth, and concerned at the high and unequal levels of adolescent pregnancy in the region, which, especially in the case of girls under the age of 15, is usually associated with forced marriage, abuse or sexual violence,

*Expressing* concern for the high levels of violence experienced by boys, girls, adolescents and young people in the region, in particular violence by organized groups that perpetrate criminal acts,

*Agree to:*

7. Guarantee for all boys, girls, adolescents and young people, without any form of discrimination, the chance to live a life free from poverty and violence, and to enjoy protection and exercise of their human rights, a range of opportunities and access to health, education and social protection;

8. Guarantee also the existence of mechanisms for the effective participation, without any form of discrimination, of adolescents and young people in public debate, in decision-making and in all policy and programme phases, in particular on matters that affect them directly, and strengthen institutional mechanisms for youth;

10. Promote and invest in labour and employment policies and special training programmes for youth to boost personal and collective capabilities and initiative and to enable them to reconcile studies and work activities, without precarious working conditions and guaranteeing equal opportunities and treatment;

12. Implement comprehensive, timely, good-quality sexual health and reproductive health programmes for adolescents and young people, including youth-friendly sexual health and reproductive health services with a gender, human rights, intergenerational and intercultural perspective, which guarantee access to safe and effective modern contraceptive methods, respecting the principles of confidentiality and privacy, to enable adolescents and young people to exercise their sexual rights and reproductive rights, to have a responsible, pleasurable and healthy sex life, avoid early and unwanted pregnancies, the transmission of HIV and other sexually transmitted infections, and to take free, informed and responsible decisions regarding their sexual and reproductive life and the exercise of their sexual orientation;

13. Introduce or strengthen policies and programmes to prevent pregnant adolescents and young mothers from dropping out of school;

16. Guarantee for boys, girls, adolescents and young people the opportunities and the basis for harmonious coexistence and a life free from violence, through intersectoral strategies to address the factors that disrupt harmony in the community and foment violence, to provide education from early childhood that promotes tolerance, an appreciation for diversity, mutual respect and respect for human rights, conflict resolution and peace, and to ensure protection, timely access to justice and compensation for victims;

17. Guarantee also reliable statistical data, disaggregated by sex, age, migration status, race and ethnicity, cultural variables and geographical location, with regard to education, health, in particular sexual health and reproductive health, employment and the participation of adolescents and young people.

## **C. AGEING, SOCIAL PROTECTION AND SOCIOECONOMIC CHALLENGES**

*Considering* also that older persons, by virtue of their age and vulnerability, continue to be subjected to discrimination, abuse and ill-treatment, which ultimately impairs the enjoyment and exercise of their rights,

*Bearing* in mind that the feminization of ageing calls for the development of specific policies to address the particular needs of older women,

*Agree to:*

18. Formulate policies with a gender perspective to ensure a good quality of life in old age, not only for urban dwellers, but also for those who live in rural and forest areas;

20. Design policies at the national, federal and local levels to guarantee quality of life, the development of potential and the full participation of older persons, taking account of the need for intellectual, emotional and physical interaction and the different situation of men and women, with emphasis on the groups that are most susceptible to discrimination, such as older persons with disabilities, those without economic resources or pension coverage, or those who live alone or lack a support network;

22. Eradicate the multiple forms of discrimination that affect older persons, including all forms of violence against older women and men, taking into account the obligations of States with respect to ageing with dignity and rights;

26. Bring health policies into line with the challenges of the varied and changing epidemiological profile arising from ageing and the epidemiological transition, reinforcing the fight to eradicate communicable diseases and implementing actions for the prevention and treatment of chronic, diseases traditionally referred to as non-communicable, but now known to be strongly influenced by conditions of social and economic vulnerability in the early years of life, and ensure that these policies take into account gender, age, regional, ethnic and socioeconomic specificities;

31. Incluir el cuidado en los sistemas de protección social, mediante prestaciones, servicios sociosanitarios y beneficios económicos que maximicen la autonomía, en particular de las personas mayores, y garanticen los derechos, la dignidad y el bienestar de las familias y las personas mayores, incluyendo el derecho a una muerte digna y bien atendida, sin ningún tipo de discriminación ni violencia;

32. Ampliar los sistemas de protección y seguridad social, con perspectiva de género, incorporando a las mujeres que han dedicado sus vidas al trabajo productivo, trabajadoras domésticas, mujeres rurales y trabajadoras informales.

#### **D. UNIVERSAL ACCESS TO SEXUAL AND REPRODUCTIVE HEALTH SERVICES**

*Concerned* at the high rates of maternal mortality, due largely to difficulties in obtaining access to proper sexual health and reproductive health services or due to unsafe abortions, and aware that some experiences in the region have demonstrated that the penalization of abortion leads to higher rates of maternal mortality and morbidity and does not reduce the number of abortions, and that this holds the region back in its efforts to fulfil the Millennium Development Goals,

*Considering* that health gaps are still wide in the region and that average statistics usually mask the high levels of maternal mortality, sexually transmitted infections, HIV/AIDS infection and the unmet need for contraception among the population living in poverty and in rural areas, among indigenous peoples and Afro-descendants and vulnerable groups, such as women, adolescents and young people and persons with disabilities,

*Agree to:*

34. Promote policies that enable persons to exercise their sexual rights, which embrace the right to a safe and full sex life, as well as the right to take free, informed, voluntary and responsible decisions on their sexuality, sexual orientation and gender identity, without coercion, discrimination or violence, and that guarantee the right to information and the means necessary for their sexual health and reproductive health;

37. Guarantee universal access to good-quality sexual health and reproductive health services, bearing in mind the specific needs of men and women, adolescents and young people, lesbian, gay, bisexual and transgender persons, older persons and persons with disabilities, with special attention to vulnerable persons, persons living in rural and remote areas and to the promotion of citizen participation in the follow-up to commitments;

40. Eliminate preventable cases of maternal morbidity and mortality, including, within the set of integrated benefits of sexual health and reproductive health services, measures for preventing and avoiding unsafe abortion, including sexual health and reproductive health education, access to modern and effective contraceptive methods, counselling and comprehensive care in cases of unwanted and unaccepted pregnancy, as well as comprehensive post-abortion care, where necessary, on the basis of a risk- and harm-reduction strategy;

43. Ensure that all women have effective access to comprehensive health care during the reproductive process and specifically to skilled, institutional, compassionate obstetric care and to the best possible maternal health services during pregnancy, childbirth and the puerperium, as well as to services that include the termination of pregnancy in those cases where the law provides for such services, and guarantee universal access to assisted fertility treatments;

44. Guarantee effective access to a wide range of culturally relevant, scientifically sound, modern contraceptive methods, including emergency oral contraception;

45. Formulate plans for strengthening mechanisms for detecting problems during pregnancy, including at the preconception stage, improve the quality of antenatal care to include an intercultural perspective, guarantee the provision of a safe supply of blood for care during pregnancy, childbirth and the post-partum and puerperium period, and enhance compassionate care during delivery and birth and comprehensive perinatal care, bearing in mind the needs of women, boys, girls and families;

46. Guarantee sufficient financial, human and technological resources in order to provide universal access to sexual health care and reproductive health care for all women, men, adolescents, young people, older persons and persons with disabilities without any form of discrimination.

#### **E. GENDER EQUALITY**

*Reaffirming* the validity of the Quito Consensus of 2007 and the Brasilia Consensus of 2010 and the continuing relevance of the commitments contained therein, in particular those relating to the promotion and protection of the human rights of women, the eradication of gender discrimination and multiple forms of discrimination, the elimination of violence, and the building of State structures for promoting the advancement of women and gender equality,

*Reaffirming* the commitment to ratification and implementation of International Labour Organization conventions 100, 102, 111, 156 and 189,

*Reiterating* that protecting the rights and autonomy of women, promoting the full exercise of their sexual rights and reproductive rights, gender equality and the elimination of the multiple forms of discrimination and violence, including gender-based forms of such acts, are fundamental to Governments' commitment to advance towards development with equality,

*Recognizing* that, in the region, the sexual division of labour, poverty in all its manifestations and unequal access to resources continue to be obstacles to the promotion and protection of all the human rights of women and that the elimination of political, economic, social and cultural inequalities must therefore figure among the principal sustainable development goals,

*Bearing in mind* that violence against girls, women and lesbian, gay, bisexual and transgender persons, in particular sexual violence, is a critical indicator of marginalization, inequality, exclusion and gender discrimination against women and affects their autonomy, self-determination, individual and collective health and the exercise of human rights,

*Agree to:*

47. Fulfil the commitment to strengthen institutional machineries in order to build development policies with equality that will guarantee the autonomy of women and gender equality, and give these machineries the autonomy and the necessary human and financial resources to enable them to have a cross-cutting impact on the structure of the State, recognizing the strategic role that they play and establishing them at the highest level;

50. Fulfil the commitment to promote and ensure gender mainstreaming and its intersection with perspectives on race, ethnicity, age, social class and disability status in all public policies, especially in economic and cultural policies, and coordination between branches of government and social stakeholders, including organizations of young, Afro-descendent or indigenous women, to ensure gender equality;

51. Promote parity and other mechanisms to ensure access to power in electoral systems as a precondition for democracy and a target for eradicating the structural exclusion of women in society, which affects mainly those in vulnerable situations, by training women leaders;

53. Develop and strengthen policies and universal care services based on the highest human rights standards, from a gender equality and intergenerational perspective, in order to share the delivery of services between the State, the private sector, civil society, families and households and between men and women and facilitate dialogue and coordination between all the parties involved;

54. Promote legislation and design and strengthen public policies on equality in the labour market in order to eliminate gender discrimination and asymmetries in relation to access to decent employment, job security, wages and decision-making on labour issues, as well as to recognize the productive value of unpaid domestic work and care work;

56. Establish mechanisms for preventing sexual and other forms of harassment and violence against women and men, especially in the workplace and educational settings, as well as for filing relevant complaints and punishing such practices;

57. Enforce existing policies and adopt, on the one hand, preventative and punitive measures, and on the other measures for protecting and caring for women in order to eradicate all forms of violence, including forced sterilization and stigma against women in public and private spheres and especially the gender-motivated violent murder of girls and women, and ensure effective and universal access to fundamental services for all victims and survivors of gender-based violence, with special attention to women in high-risk situations, such as older women, pregnant women, women with disabilities, culturally diverse groups, sex workers, women living with HIV/AIDS, lesbian, bisexual and transgender women, Afro-descendent, indigenous and

migrant women, women living in border areas, asylum-seekers and victims of trafficking;

60. Develop and strengthen plans and programmes for addressing disparities in the representation and performance of boys and young men in the education system, especially in the English-speaking Caribbean;

61. Ensure the sharing of responsibility between the State, the private sector, the community, families, women and men for unpaid domestic and care work, incorporating care into social protection systems through allowances, services and benefits that maximize women's autonomy and guarantee their rights, dignity, well-being and enjoyment of free time;

64. Consider measuring the care economy using specialized accounts and the creation of satellite accounts on unpaid work, and the incorporation of such accounts in the system of national accounts;

## **F. INTERNATIONAL MIGRATION AND PROTECTION OF THE HUMAN RIGHTS OF ALL MIGRANTS**

*Expressing* concern at the evident and systematic human rights violations suffered by migrants as a result of racism, xenophobia and homophobia, as well as the lack of guarantee of due process and specific problems that affect different groups, especially women, girls, boys and adolescents, in terms of discrimination, abuse, trafficking in persons, exploitation and violence,

*Bearing in mind* that the global economic development process breeds inequalities and asymmetries which, in turn, generate an available workforce that is willing to work for minimum wages and in precarious conditions, and creates demand for highly flexible conditions that seek to extract the productive strength from these workers without respect for their human rights, in particular in the case of persons from less developed economies or living in dire poverty,

*Agree to:*

72. Protect decisively the human rights of all migrants, avoiding any form of criminalization of migration, and guarantee migrants access to basic social services in education and health, including sexual health and reproductive health, where appropriate, regardless of their migration status, with special attention to highly vulnerable groups, including unaccompanied minors, displaced persons in an irregular situation, women who are victims of violence, victims of trafficking, returnees and forcibly displaced asylum-seekers;

## **G. TERRITORIAL INEQUALITY, SPATIAL MOBILITY AND VULNERABILITY**

*Taking into account* the particular challenges facing the countries of the region owing to conditions of poverty, structural processes such as globalization, specialization in extractive production and climate change, and the relationships between these processes and population mobility, spatial distribution, settlement and vulnerability of the poor population,

*Taking into consideration* the special characteristics of the spatial distribution of the population in the region, such as high rates of urbanization with the attendant opportunities and risks, the persistent rural exodus, the trend towards concentration of population and activities in a few dynamic centres, the limited options for development in rural areas and small population centres and the segregation and vulnerability facing poor people by virtue of their geographical location,

*Concerned* at the high cost in human life, infrastructure, persons affected and economic losses caused by natural and socioenvironmental disasters in the region in recent years, which expose the human settlements of the poorest populations to the highest levels of vulnerability,

*Agree to:*

77. Promote the development and well-being of people in all territories without any form of discrimination, and provide full access to basic social services and equal opportunities for populations whether they live in urban or rural areas, in small, intermediate or large cities or in isolated areas or small rural settlements;

79. Design programmes to promote peaceful coexistence, continuing education, creative leisure pursuits, mental health and citizen security for the population in their territories in order to prevent the current social problems associated with issues such as poverty, social exclusion, the abusive use and trafficking of drugs, and gender-based violence;

81. Plan and manage territorial and urban development, from a human rights and gender perspective, by formulating mobility, population settlement and activity location policies that contemplate, among their objectives, avoiding the use of vulnerable and protected areas and preventing and mitigating the impact of socio environmental disasters and combating the environmental vulnerability of those living in poverty and ethnic and racial groups who are subject to discrimination, as well as climate change mitigation and adaptation;

84. Promote the use of geo referenced, socio demographic analysis, disaggregated by sex, race and ethnicity, to improve territorial planning and environmental risk management.

## **H. INDIGENOUS PEOPLES: INTERCULTURALISM AND RIGHTS**

*Considering* that the United Nations Declaration on the Rights of Indigenous Peoples recognizes and reaffirms that indigenous individuals are entitled, without discrimination, to all human rights enshrined in international law, and that indigenous peoples possess

collective rights which are indispensable for their existence, well-being and integral development as peoples,

*Reaffirming* the contribution that the indigenous peoples of the region make to development and to the conservation of the planet and that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humanity,

*Concerned* at the sharp inequality that affects indigenous peoples and individuals as a result of historical injustices and structural discrimination, which are expressed in higher levels of material poverty, exclusion and marginalization, as well as to their more limited participation in decision-making in power structures and in citizens' representation mechanisms, which undermines their human rights,

*Conscious* of the urgent need to respect and promote the territorial rights of indigenous peoples, as a prerequisite for the development of their identity and autonomy as peoples and for the challenges that this implies in the context of globalization, especially given the increase in the exploitation of natural resources and the pressure on the territories of indigenous peoples, including the peoples living in voluntary isolation,

*Concerned* at the high levels of maternal and infant morbidity and mortality among indigenous peoples, particularly among women, girls and adolescents living in rural areas,

*Recognizing* the need to protect and respect the collective rights of indigenous peoples, as well as the need for greater protection for their development and against the forms of violence to which indigenous boys, girls, adolescents, young people, women and older persons are subjected,

*Agree to:*

86. Consider the special demographic dynamic of indigenous peoples in public policy design, with special emphasis on indigenous peoples threatened with extinction, those who have no contact with the outside world, those living in voluntary isolation or that are in a phase of initial contact, and respect their right to self-determination;

87. Guarantee indigenous peoples' right to health, including sexual rights and reproductive rights, and their right to their own traditional medicines and health practices, especially as regards reducing maternal and child mortality considering their socio-territorial and cultural specificities as well as the structural factors that hinder the exercise of this right;



88. Respect and guarantee the territorial rights of indigenous peoples, including those of peoples living in voluntary isolation and those in the initial phase of contact, with special attention to the challenges presented by extractive industries and other major global investments, mobility and forced displacements, and design policies that facilitate free, prior and informed consultation on matters that affect these peoples, pursuant to the provisions of the United Nations Declaration on the Rights of Indigenous Peoples;

89. Adopt, in conjunction with indigenous peoples, the measures needed to ensure that indigenous women, boys, girls, adolescents and young people enjoy protection from and full guarantees against all forms of violence and discrimination, and take measures to ensure the restitution of rights;

90. Guarantee indigenous peoples' right to communication and information, ensuring that national statistics respect the principle of self-identification, as well as the generation of knowledge and reliable and timely information on indigenous peoples through participatory processes, with reference to their requirements and international recommendations relating to these issues;

## **I. AFRO-DESCENDANTS: RIGHTS AND COMBATING RACIAL DISCRIMINATION**

*Reaffirming* that the Durban Declaration and Programme of Action, adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, provide a comprehensive human rights framework for the well-being and development of Afro-descendent persons and a solid foundation for combating racism, racial discrimination, xenophobia and related intolerance,

*Convinced* that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds, such as gender identity, sexual orientation, language, religion, political or other opinion, social origin, economic status, birth or other situation,

*Underscoring* the contribution that Afro-descendent populations make to the development and well-being of humanity as a whole and that cultural diversity should be valued, enjoyed, genuinely accepted and embraced as a permanent feature which enriches societies,

*Agree to:*

92. Respect and implement the provisions of the Durban Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, by adapting the legal frameworks and formulating the policies necessary for their implementation, with the full participation of Afro-descendent persons;

93. Address gender, racial, ethnic and intergenerational inequalities, bearing in mind the way these dimensions overlap in situations of discrimination affecting women, especially young Afrodescendent women;

94. Consider the special demographic and sociocultural dynamics of Afro-descendent populations in the design and implementation of public policies, ensuring their full participation and the development of disaggregated statistics;

95. Ensure that Afro-descendent persons, in particular Afro-descendent girls, adolescents and women, can exercise the right to health, especially the right to sexual health and reproductive health, taking into account the specific socio territorial and cultural features and the structural factors, such as racism, that hinder the exercise of their rights;

96. Promote the development of Afro-descendent populations by implementing public policies, establishing standards and creating institutions to guide and carry forward affirmative action policies, plans and programmes at the sectoral level, whereby the principles of equality and nondiscrimination can be incorporated into all levels of government, with organized civil society participating throughout the process of design, implementation and evaluation of those instruments;

97. Ensure that policies and programmes are in place to raise the living standards of Afro-descendent women, by fully enforcing their rights, in particular their sexual rights and reproductive rights;

## **J. FRAMEWORKS FOR THE IMPLEMENTATION OF THE FUTURE REGIONAL AGENDA ON POPULATION AND DEVELOPMENT**

*Agree to:*

99. Reiterate the appeal to establish or strengthen a national coordinating mechanism, with the participation of civil society organizations, to facilitate the implementation and follow-up of the Cairo Programme of Action beyond 2014 and to act as a permanent liaison with the Regional Conference;

102. Improve data sources, particularly population censuses, administrative records, vital statistics and specialized surveys, promoting the full independence of national statistical systems and ensuring, by means of legal and institutional frameworks, that users and producers apply the fundamental principles of official statistics at both the national and international levels as well as harmonized methodologies to ensure comparability between countries;

107. Guarantee the effective participation of civil society and social movements in the implementation, oversight and appraisal of the Cairo Programme of Action beyond 2014, incorporating the measures agreed upon herein;

## FOLLOW-UP RECOMMENDATIONS

110. *Request* the secretariat, within the framework of the existing links between population and development, to continue to give priority to the following issues from a gender perspective: determinants and consequences of demographic trends; socio demographic inequities; maternal and child mortality; sexual health and reproductive health; youth; ageing and older persons; indigenous peoples and Afro-descendent populations in Latin America and the Caribbean; international and internal migration; sources of socio demographic information (population censuses and vital statistics), and human resources training in the fields of demography and population and development;

111. *Request* also the secretariat to continue providing support for countries in affording statistical visibility to the indigenous peoples and Afro-descendent

populations of Latin America and the Caribbean by seeking to develop specific and innovative indicators, including the exchange of best practices, and providing accessible training opportunities for national personnel, and to continue to monitor regionally the issues relating to these population groups in Latin America and the Caribbean;

122. *Also ask* the United Nations Population Fund to strengthen cooperation activities with the Governments of the region in the framework of their commitment to strengthen investment in youth and, in particular, to intensify efforts to coordinate actions relating to access to quality education, including comprehensive sexuality education, gender equality, decent work for youth and their access to quality health care, including sexual health and reproductive health services, in conjunction with other cooperation agencies and other bodies in the United Nations system.

## SANTO DOMINGO CONSENSUS

*The delegations of the member States of the Economic Commission for Latin America and the Caribbean participating at the twelfth session of the Regional Conference on Women in Latin America and the Caribbean, gathered in Santo Domingo from 15 to 18 October 2013*

### *Reaffirming:*

1. The commitments States have assumed under the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, the Declaration and Platform for Action of the Fourth World Conference on Women (Beijing, 1995), the Programme of Action of the International Conference on Population and Development (Cairo, 1994), the Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001), the United Nations Convention against Transnational Organized Crime (Palermo, 2000) and the protocols thereto, and the United Nations Declaration on the Rights of Indigenous Peoples

### *Considering:*

7. Women's economic, physical and political autonomy, especially for rural, indigenous, Afro-descendent women  
8. That women's autonomy is essential to guaranteeing the exercise of their human rights in a context of full equality and, in particular, that control over their own bodies, comprehensive health and the right to live a life free from violence (physical autonomy), access to land and the ability to generate their own income and resources (economic autonomy) and full participation in decisions that affect their lives and their community (autonomy in decision-making) constitute three mutually supportive pillars that are fundamental to achieving greater gender equality and promoting women's access to information and communications technologies;  
13. The widening gap between developed and developing countries in access to information and communications technologies, and the new dimensions of the digital divide, which undermine women's autonomy and limit their full development<sup>19</sup>. The centrality of gender equality in the development debate, which entails taking account of both productive and reproductive work and changing the division of labour, since inequities in the sphere of reproduction have created a disproportionate burden on women and structural gender inequalities that perpetuate the cycle of poverty, marginalization and inequality;  
22. States' responsibility to focus efforts and make the investments needed to ensure that information and communications technologies are accessible and contribute to enhancing women's initiatives and their economic, political and physical empowerment, preventing the creation of new gaps owing to the living conditions or cultural diversity in the region;  
26. That public policies must be adopted and implemented to tackle racism and ethnocentrism and their harmful consequences;

27. That rural women's access to land, natural resources and public resources in support of production - such as technical and technological assistance, education and credit - is still subject to various constraints;  
28. The need to support the sustainability of women's and feminist organizations and movements, recognizing them as essential agents in transforming and mobilizing society and in informing, educating and communicating for social, economic, political and cultural change grounded in the democratic principles of autonomy, equality of rights and women's empowerment;  
29. That the justice system is important for the promotion of human rights and recognizing that justice delayed is often justice denied;  
30. That the adoption of a human-rights-based approach in policies and programmes calls for the detailed planning of specific actions that can bring about real changes in all stages of women's life cycle, particularly for young women, rural women, women with disabilities, indigenous women, Afro-descendent women, displaced women, migrant women, other women who live in particularly vulnerable or marginalized circumstances and lesbian, gay, bisexual, transsexual, transgender, transvestite and intersex (LGBTI) persons;

### *Agree to:*

### **A. GENDER EQUALITY, EMPOWERMENT OF WOMEN AND INFORMATION AND COMMUNICATIONS TECHNOLOGIES**

31. Adopt public policies aimed at resolving the problems that affect our peoples, in particular women, and use information and communications technologies as a means of implementing those policies;  
32. Work together with all stakeholders to ensure that the information and knowledge society fosters the empowerment of women and their full and equal participation in all spheres of society and in all decision-making processes;  
34. Strengthen the mainstreaming of gender across all areas of public policy in connection with information and communications technologies, ensuring full access to these technologies and their use by women, girls, adolescent girls, young women, older women, indigenous and Afro-descendent women, rural women, LGBTI persons and women with disabilities on an equal and equitable basis for the social appropriation of knowledge, bearing in mind the associated regulations, costs and coverage issues and with respect for cultural and linguistic diversity;  
35. Adopt public policies that include affirmative action to promote the lowering of barriers to access, a better grasp of the use of information and communications technologies and the local language adaptation of applications and content related to these technologies, and that foster the engagement of women, girls, adolescent girls, young women, older women, indigenous and Afro-descendent women, rural women and women with disabilities in vocational training in the sciences, including mathematics, engineering, environmental technologies and information and communications technologies, and in all areas of scientific research and knowledge production;

38. Ensure that the education system, at all levels and with respect to all forms of teaching, provides timely information to women, girls, adolescent girls, young women, older women, indigenous and Afro-descendent women, rural women, LGBTTI persons and women with disabilities on the benefits, applications and availability of vocational training opportunities in science and technology that could contribute to their personal, economic, social and political autonomy;

40. Ensure that businesswomen and female entrepreneurs, including rural, indigenous and Afro-descendent women, have access to marketing mechanisms and to credit for acquiring technological equipment and instruments that enable them to innovate and expand their business opportunities and their participation in development-oriented production processes and self-managed enterprises;

42. Promote knowledge and analysis of risks for women, girls, adolescent girls, young women, older women, indigenous and Afro-descendent women, rural women, LGBTTI persons and women with disabilities in relation to cyber safety, sexual exploitation, trafficking in persons, child pornography, cyberbullying and bullying by other technological means, and define related offences and appropriate sanctions, considering their impact on the human rights of these groups, and enact corresponding legislation;

46. Advocate legislative and educational measures by the State and the private sector to eradicate and punish sexist, stereotypical, discriminatory and racist content in the media and in software and electronic games, promote the use of positive images, appreciating women's contributions to society, and encourage, also at the State level and in the private sector, egalitarian relations and responsibilities between women and men in the field of science and technology;

47. Encourage legislative measures and policies, by the State and the private sector, to guarantee adequate conditions of work and health and to protect women against exploitation in these areas and especially in telemarketing and informal jobs;

48. Take policy measures to control highly toxic electronic waste which causes serious health problems and risk of death and illness with an impact on women and children from poor families and environmental damage;

50. Seek ways to bring sciences and the new technologies closer to the specific situations of women, appreciating the dimensions of race, ethnicity, sexual orientation and age, with a view to helping to eradicate poverty in areas with the worst social exclusion, promote development and democratize education;

51. Eliminate sexism and gender stereotypes in education systems, books and teaching materials, and eradicate biases in teachers' perception of boys' and girls' performance in sciences, including mathematics and technology, broadening the training of educators for equality and promoting teaching practices free from prejudices and stereotypes;

## **B. GENDER EQUALITY AND THE ECONOMIC EMPOWERMENT OF WOMEN**

53. Urge States to accede to and ratify the International Labour Organization conventions relating to gender equality, such as those on decent work for female and male domestic workers;

58. Achieve the consolidation of public protection and social security systems with universal, comprehensive and efficient access and coverage by means of solidary, standard, participatory financing, based on the principle of solidarity and linked to a broad spectrum of public policies that guarantee well-being, quality of life and a decent retirement and enhance the full exercise of citizenship by women, including those who have devoted their lives to productive as well as reproductive work, both paid and unpaid, female domestic workers, rural women, female informal and contract workers and, above all, women directly or indirectly affected by illness, disability, unemployment, underemployment or widowhood at any stage in their life cycle;

59. Draft and promote legislative initiatives for reinforcing the empowerment of women in terms of their right to ownership of land and other natural resources, as well as their participation on an equal basis in managing these resources with respect to decision-making, access to and control of capital, access to good-quality services and producer goods, technology, markets and market information, inheritance and capital assets;

60. Prioritize and intensify initiatives aimed at women's economic empowerment at the community level through means such as business education and business incubators to improve their situation and thus reduce their vulnerability to violence;

61. Prioritize also the design and implementation of public policies and programmes designed to reduce poverty among women, on the basis of sustainable development, economic growth, technical and financial support for productive activities launched by women living in poverty, training and skills-building for employment, access to decent work and optimum use of information and communications technologies, from the perspective of equality;

62. Develop and implement active labour-market and productive employment policies to ensure decent work for all women, combating the precarious and informal conditions that affect mainly the female workforce and guaranteeing equal pay for work of equal value, an egalitarian participation rate, appointment without discrimination to positions of power and decision-making and the elimination of occupational segregation, with particular attention to rural women, Afro-descendent women, indigenous women, women with disabilities and young women;

63. Promote and enforce legislation on equality in employment to eliminate discrimination relating to gender, race, ethnicity and sexual orientation and other types of discrimination in access to and security in the labour market, establishing mechanisms for filing complaints to bodies clearly identified and mandated for that purpose and determining sanctions for bullying, sexual harassment and other forms of violence against women in the workplace;

64. Take measures to formalize employment, ensuring social protection and health, as well as to boost the economic and financial autonomy of women through access to working capital, including credit facilities, as well as technical advice and state-of-the-art technology, and foster entrepreneurship, cooperative movements and other forms of partnership, including self-managed enterprises;

65. Take measures to ensure that gender equity and equality criteria are applied in relation to the implementation of fiscal policies and that affirmative action is taken to prevent fiscal reforms from exacerbating poverty levels among women;

66. Take measures, including legislative measures, to ensure access by women on an equal basis to formal financial services such as savings, credit, insurance and transfers, without any type of barrier based on discrimination;

### **C. GENDER EQUALITY AND WOMEN'S SEXUAL HEALTH AND REPRODUCTIVE HEALTH**

70. Ensure, within the framework of strengthened health systems—endowed with budgetary, monitoring, evaluation and accountability mechanisms—universal access to expanded sexual health and reproductive health services of better quality and wider coverage, which must include information and timely, specific and comprehensive education and the provision of free contraceptives, and must be integrated into health-care services and geared particularly to women in the poorest sectors and subject to the worst forms of social exclusion, and young persons and adolescents of both sexes;

73. Ensure comprehensive care for persons affected by HIV/AIDS, in particular women, girls, adolescents, young persons, orphans and vulnerable children, migrants and people in humanitarian emergencies, detained women, indigenous populations, Afro-descendants and women with disabilities, as appropriate in the local context;

74. Implement gender-sensitive measures to guarantee access to good-quality health services, including sexual and reproductive health services, during and after disasters and in cases of emergency and for displaced persons and refugees in order to prevent mortality and morbidity, particularly among women, girls, adolescent girls, young women, indigenous and Afro-descendent women, rural women and women with disabilities in these circumstances;

79. Ensure effective implementation and institutionalization of comprehensive education on sexuality in education systems, as a means of preventing adolescent pregnancy and maternal mortality, and to prevent unwanted pregnancies in general and guarantee women and adolescent girls the full exercise of their sexual rights and reproductive rights such that they can take free, informed and responsible decisions in relation to their sexuality, sex life and sexual orientation, including the right to motherhood of women with HIV/AIDS;

### **D. GENDER EQUALITY AND THE ELIMINATION OF VIOLENCE AGAINST WOMEN**

80. Enforce national and local policies and adopt preventive, punitive, protection and care measures to eliminate all forms of violence and stigma against women, girls, adolescent girls, young women, older women, indigenous and Afro-descendent women, rural women, LGBTTI persons and women with disabilities, and include the effective use of information and communications technologies with an intercultural approach in order to achieve greater inclusion and equality for all women;

81. Enforce also national laws and policies to combat violence against women and girls in the media and in the use of information and communications technologies, considering the nature of these spheres and the risks they involve, and the greater vulnerability of women in all their diversity;

82. Ensure that women are not subject to violence during the provision of health services, in particular the type of violence inflicted during childbirth known as obstetric violence;

86. Develop mechanisms, including legislation, and sanctions to combat the use of information and communications technologies and social networks to perpetrate violent acts against women and girls, in particular the criminal misuse of such technologies for sexual harassment, sexual exploitation, child pornography and trafficking in women and girls, and new forms of violence, such as cyberbullying and intimidation and privacy violations that compromise the safety of women, girls, adolescent girls, young women, older women, indigenous women, Afro-descendent women, rural women, LGBTTI persons and women with disabilities;

93. Define and develop public policies to combat discrimination and foster affirmative action on the basis of an intersectional approach that includes tackling sexism, racism, ethnocentrism, homophobia and lesbophobia;

95. Guarantee that all victims and survivors of violence against women (including the victims' children and dependents, if any) have immediate access to comprehensive care services, psychosocial and mental health support, treatment of injuries, shelter, and care following instances of rape or sexual assault, and access to emergency contraception, prophylaxis for sexually transmitted infections and safe abortion services in cases of rape;

97. Define policies to tackle gender vulnerability factors in addressing the risks inherent to natural and anthropogenic disasters and emergencies, and design gender-sensitive prevention and response strategies to ensure the protection of women and girls;

98. Elicit a commitment, through the creation of strategic networks, from the media and media professionals' associations, to project a positive image of women, banishing the stereotypes and the violent content that perpetuate discrimination and violence against women, girls, adolescent girls, young women, older women, indigenous women, Afro-descendent women, rural women, LGBTTI persons and women with disabilities;

99. Consolidate a proposal to eliminate structural sexist discrimination in the rural environment, ensuring economic, political and social equality between men and women, and take immediate action to fulfil the right of rural women to live a life free from violence and racism;

100. Eradicate gender violence, considering the need for an integrated approach on several fronts, ranging from education to the transformation of cultural patterns and the strengthening of women's movements, with a view to consolidating the foundations for increasing rural women's bargaining capacity in power relations;

#### **E. GENDER EQUALITY AND THE EMPOWERMENT OF WOMEN FOR POLITICAL PARTICIPATION AND DECISION-MAKING**

101. Ensure that women have equal access to decision-making positions in all branches of government and in local governments, through legislative and electoral initiatives and measures that guarantee parity of representation in all political spheres and a commitment to strategic agendas to achieve parity in political participation and gender parity as a State policy;

106. Use specific economic and technical measures to strengthen regional gender machineries for political training and education in support of women's leadership, and promote the participation of the region's women in such mechanisms, especially young, rural, indigenous and Afro-descendent women, and LGBTTI persons;

108. Promote, motivate and arrange arenas for debate, forums, workshops and campaigns in the media in favour of women's human rights in a culture of peace, avoiding the perpetuation of stereotypes that are detrimental to women's dignity;

#### **F. GENDER EQUALITY AND MECHANISMS FOR WOMEN'S EMPOWERMENT**

110. Harmonize national regulatory frameworks, in accordance with international agreements on gender and women's human rights, with a view to enacting legislation aimed at achieving equality and to repealing discriminatory laws that stand in the way of the full exercise of women's rights;

113. Adopt budgets with gender as a cross-cutting factor in the allocation of public funds and ensure that sufficient, protected funding is provided in all policy areas to fulfil all the commitments made by States to achieve the goals of equality and social and economic justice for women;

118. Promote the establishment, at the municipal and local level, of entities such as gender affairs bureaux or offices for the advancement of women, endowing them with sufficient human and financial resources and the specialist expertise to empower women, provide comprehensive care and prevent violence at the local level;

119. Strengthen regional gender machineries for women's empowerment with a view to ensuring the mainstreaming of gender equality and equity in the development agendas advocated as part of the processes of integration in the region;

120. Study the possibility of establishing a regional fund for gender equality and intercultural dialogue, funded by contributions from different types of donors, encouraging public-private partnerships;

122. Strengthen gender mainstreaming in the processes of integration aimed at socioeconomic development under way in Latin America and the Caribbean, particularly those in which major efforts are being made to include actions to promote gender equality, with the engagement of the feminist and women's movements.

# BRASILIA CONSENSUS 2010

1. *The Governments of the countries participating in the eleventh session of the Regional Conference on Women in Latin America and the Caribbean, represented by ministers and delegates of the highest level devoted to promoting and defending women's rights, gathered in Brasilia from 13 to 16 July 2010 to discuss achievements and challenges relating to gender equality with a focus on women's autonomy and economic empowerment,*

2. *Reaffirming* Elimination of All Forms of Discrimination against Women, the Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001), the conventions of the International Labour Organization (ILO), and the other instruments, standards and resolutions pertaining to gender equality and women's empowerment and progress,

6. *Recognizing* the growing presence of women in decision-making positions and action taken to fight poverty,

7. *Recognizing* racial and ethnic discrimination

10. *Reaffirming* that the secular character of States contributes to the elimination of discrimination against women and helps to ensure the full exercise of their human rights,

11. *Reaffirming* also that parity is a key condition for democracy as well as a goal for eradicating the structural exclusion of women in society, which affects primarily indigenous and Afro-descendent women and those with disabilities, and that it is aimed at achieving equality in the exercise of power, in decision making, in mechanisms for participation and social and political representation and in family, social, economic, political and cultural relationships,

17. *Considering* that progress in the region is uneven and that challenges to gender equality persist and require constant State investments and policies on issues such as the sexual division of labour, unpaid domestic work, the elimination of discrimination in the labour market and social protection for women, the prevalence and persistence of violence against women, racism, sexism, impunity and lesbophobia, parity in all areas of decision-making and access to high-quality universal public services in the areas of public awareness, education and health-care, including sexual and reproductive health care,

18. *Considering* also that the right to land ownership and to access to water, forests and biodiversity in general is more limited for women than for men, that the use of these natural resources is conditioned by the sexual division of labour, that environmental pollution has specific impacts on women in both rural and urban milieus, and that it is necessary for the State to recognize the contribution of women to biodiversity conservation, to implement affirmative action policies and to guarantee the exercise of their rights in this area,

22. *Recognizing* that, despite the measures taken to predict, prevent or minimize their causes and mitigate their adverse consequences, climate change and natural disasters can have a negative impact on productive development, time use by women, especially in rural areas, and their access to employment

24. *Stressing* the importance of and need for broad, inclusive, sustainable, redistributive, solidarity based and strengthened social security systems that work as social protection mechanisms for vulnerable populations, promote social justice and help reduce inequalities,

25. *Considering* that women's comprehensive health is a fundamental right that involves the interaction of social, cultural and biological factors and that gender inequality is one of the social determinants of health,

27. *Emphasizing* that economic autonomy for women

29. *Recognizing* also the persistence of racism and the resulting accumulation of disadvantages for Afro-descendent and indigenous women,

30. *Considering* that women's comprehensive health depends on concrete measures aimed at reducing maternal morbidity and mortality

32. *Recognizing* that the territory historically occupied by indigenous women forms the basis for their economic and cultural development,

## **1. Attain greater economic autonomy and equality in the workplace**

d) To encourage the establishment, in national accounts, of a satellite account for unpaid domestic and care work performed by women;

f) To develop active labour market and productive employment policies to boost the female labour-market participation rate, the formalization of employment and women's occupation of positions of power and decision-making, as well as to reduce unemployment rates, especially for Afro-descendent, indigenous and young women who suffer discrimination based on race, sex and sexual orientation, in order to ensure decent work for all women and guarantee equal pay for equal work;

g) To promote and enforce equality-in-employment legislation which eliminates discrimination and asymmetries of gender, race, ethnicity and sexual orientation in access to the labour market and employment continuity, in decision-making and in the distribution of remuneration; establishes mechanisms for the filing of complaints; and provides for the sanctioning of sexual and other forms of harassment in the workplace;

h) To promote and encourage the enactment of legislation that extends to female domestic workers the same rights as those of other workers and establishes regulations to protect them, promotes their economic and social valuation and ends child domestic work;

k) To promote the adoption of policies and programmes on professional training for both rural and urban women in competitive and dynamic areas of the economy in order to achieve access to technologies, the recognition of traditional technologies and fuller and more diverse and skilled participation by women in the labour market while taking into consideration the constraints imposed by the double working day;

l) To ensure women's access to productive assets, including land and natural resources, and access to productive credit, in both urban and rural areas;

m) To promote the valuation and recognition of women's economic contribution in rural areas, in traditional communities and indigenous and Afro-descendent peoples or minority groups, and of migrant women through remittances;

n) To promote also the economic and financial autonomy of women by means of technical assistance, by fostering entrepreneurship, associations and co-operatives and integrating women's networks into economic and productive processes and local and regional markets;

## **2. Enhance the citizenship of women**

a) To promote and strengthen State policies that ensure respect for and the protection and observance of all the human rights of women of all ages and walks of life as the substantive foundation for democratic processes;

d) Promote and ensure gender, race and ethnic mainstreaming in all policies, especially in economic and cultural policy, and coordination between branches of government and social stakeholders to ensure gender equality;

g) Adopt an approach of gender, race and ethnic equality and the corresponding measures in relation to economic, fiscal and tax policy, agrarian reform, and access to ownership of land, housing and other productive assets, in order to ensure the equitable distribution of wealth;

j) To develop policies that favour the settlement of rural women and rural employment in areas undergoing productive restructuring and to ensure that mechanisms needed to implement them are in place;

l) To ensure women's right and access to ownership of land and housing provided under government housing programmes, with the respective title deeds, while respecting the right of indigenous women to their land since this forms the basis for economic and social development;

m) To promote the reformulation of national social security systems in order to extend their coverage to female workers in the informal market, female rural family workers, independent female workers, female domestic workers, 2 different forms of family, including same-sex couples, and women engaged in caregiving activities;

o) To implement systems of management of natural and anthropic risks with a gender, race and ethnic focus for addressing the causes and consequences of natural disasters and the differential impacts that such disasters and climate change have on women, focusing especially on the recovery of sustainable livelihoods, the administration of refuges and shelters, sexual and reproductive health, the prevention of sexual and gender-based violence and the elimination of obstacles to women's rapid integration or reintegration in the formal employment sector, due to their role in the economic and social reconstruction process;

r) Incorporate the variables of sex, ethnicity and race, considering self-identification as a basic criterion for recording information in population and housing censuses, household surveys, rural surveys and vital statistics, among others;

## **3. Broaden the participation of women in decision-making and the exercise of power**

b) To adopt all necessary measures, including amending legislation and adopting affirmative policies, to ensure parity, inclusion and alternation of power, in the three branches of government, in special and autonomous regimes, at the national and local levels and in private institutions, in order to reinforce the democracies of Latin America and the Caribbean from an ethnic and racial point of view;

c) To contribute to the empowerment of indigenous women's leaderships in order to eliminate existing gaps and ensure their participation in decision-making, and respect the principle of free, prior and informed consent in the design and implementation of national and regional public policies;

i) Create mechanisms to support the political participation of young women in decision making, free of discrimination based on race, ethnicity or sexual orientation, and to ensure that their forms of organization and expression are respected and not subjected to generational stigmatization;

## **4. Address all forms of violence against women**

a) To adopt preventative and punitive measures as well as measures for protecting and caring for women that further the eradication of all forms of violence against women in public and private spheres, with special attention to Afro-descendent, indigenous, lesbian, transgender and migrant women, and those living in rural, forest and border areas;

h) To promote policies aimed at changing the sociocultural patterns that reproduce violence and discrimination against women;

l) To adopt, in the framework of regional and national strategies, public safety measures with a perspective of gender and of urban or community diversity, as forums for bringing all people together so as to guarantee an environment free of violence against women;

## **5. Facilitate women's access to new technologies and promote egalitarian, democratic and nondiscriminatory practices by the media**

b) To formulate policies aimed at eliminating sexist and discriminatory contents in the media and train communications professionals correspondingly, valuing the dimensions of gender, race, ethnicity, sexual orientation and generation;

c) To build mechanisms for monitoring the content transmitted in the media and for regulating the Internet, ensuring the active, ongoing participation of society in order to eliminate sexist and discriminatory content;

d) To promote and ensure access of women, especially indigenous and Afro-descendent women, to the mass media through plans that incorporate their languages and cultural identities into community radio and audiovisual slots;



## **6. Promote the conditions for the integral health of women and for their sexual and reproductive rights**

a) To guarantee the conditions and resources for the protection and exercise of women's sexual and reproductive rights throughout the lifecycle and across population groups, free of all forms of discrimination, based on the integrated approach promoted in the programme of action of the International Conference on Population and Development;

b) Include in national and subnational budgets sufficient resources to broaden the public supply of high-quality comprehensive health services for women in all their diversity, particularly chronic and non-communicable diseases;

d) To ensure access to sexual education, by implementing culturally relevant comprehensive sexual education programmes with a gender focus;

e) To ensure also universal access by women in their diversity to comprehensive, high-quality sexual and reproductive health care, including care for human immuno-deficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), its prevention, diagnosis and free treatment, and especially, to carry out campaigns to promote the use of the male and female condoms;

g) To strengthen and broaden plans and programmes that promote healthy maternity and prevent maternal mortality by ensuring universal access to health-care services, especially for indigenous and Afro-descendent adolescent girls and women;

i) To promote also access by indigenous and Afro-descendent women to culturally and linguistically relevant health-care services, incorporating and valuing the knowledge and practices of ancestral and traditional medicine, especially those practiced by women;

## **7. Carry out training and activities for exchanging and disseminating experiences with a view to the formulation of public policies based on the data collected by the Gender Equality Observatory for Latin America and the Caribbean**

ta) To request the Economic Commission for Latin America and the Caribbean to carry out training and capacity-building activities for exchanging and disseminating experiences, including those with a political impact, aimed at public policymakers and political operators. These activities would be aimed at compiling the practices employed in the countries and making progress in formulating public policies using the data of the Gender Equality Observatory for Latin America and the Caribbean, and providing a general source of knowhow and a complement to the Observatory.

## **8. Promote international and regional cooperation for gender equality**

a) Encourage regional, subregional and multilateral cooperation programmes, taking advantage of the processes of integration for socio-economic development under way in Latin America and the Caribbean, particularly actions that promote gender equality;

b) Strengthen South-South cooperation in order to achieve gender equality and women's advancement;

c) Urge donors to meet their official development assistance commitments, as an essential element for the promotion of gender equality.

## QUITO CONSENSUS

*The Governments of the countries participating in the tenth session of the Regional Conference on Women in Latin America and the Caribbean, represented by ministers or machineries for the advancement of women at the highest level, gathered in Quito, Ecuador, from 6 to 9 August 2007,*

1. Considering that the population of Latin America and the Caribbean is diverse, multicultural and multilingual and is composed of indigenous peoples, Afro-descendants, mestizos and diverse ethnic groups, among others,

5. Recognizing the universality, indivisibility, interdependence and inalienability of human rights and advances towards equality won by means of international standards relating to the promotion, protection and exercise of the human rights of women throughout their life cycle, as well as of collective rights,

8. Recognizing that the lay character of States contributes to the elimination of discrimination against women and guarantees the exercise of their human rights,

9. Recognizing the social and economic value of the unpaid domestic work performed by women, caregiving as a public matter which falls within the purview of States, local governments, organizations, companies and families, and the need to promote shared responsibility by women and men within the family,

10. Recognizing the importance of the economic and social value of the unpaid agricultural and subsistence work performed by rural and campesino women, and being aware of the need to make this work visible and arrive at an accounting of its contribution to national economies and to the cohesion of our societies,

11. Recognizing the significant contribution made by women in their diversity to the productive and reproductive dimensions of the economy, to the development of multiple strategies for dealing with poverty and to the preservation of knowledge and practices which are fundamental for sustaining life, especially for food security and sovereignty and for health,

12. Recognizing that the sexual division of labour continues to be a structural factor in the economic inequalities and injustices which affect women within the spheres of the family, labour, politics and community affairs and which pave the way for a failure to value and to remunerate women's economic contributions,

13. Recognizing women's contribution to the return and strengthening of democracy, gender equality, social justice, the development of the countries of the region and the inclusion of populations that have historically been discriminated against,

14. Recognizing the valuable contribution of the different indigenous and Afro-descendent peoples and nationalities to the governance of States, as well as to the preservation of the cultural heritage and the reproduction of sociocultural values in the historical territories upon which the life of our peoples is founded,

17. Recognizing that parity is one of the key driving forces of democracy, that its aim is to achieve equality in the exercise of power, in decision-making, in mechanisms of social and political participation and representation, in diverse types of family relations, and in social, economic, political and cultural relations, and that it constitutes a goal for the eradication of women's structural exclusion,

21. Recognizing that poverty in all its manifestations and

unequal access to resources in the region, which have been deepened by structural adjustment policies in those countries where they were applied, continue to be an obstacle to the promotion and protection of all the human rights of women, and that the elimination and reduction of political, economic, social and cultural inequalities should therefore figure among the principal objectives of all development proposals,

22. Considering that all forms of discrimination, particularly racism, homophobia and xenophobia, are structuralizing factors that lead to inequalities and exclusion in society, especially against women, and that, therefore, their eradication is a common objective of all the commitments assumed in this declaration,

1. Agree:

iv) To broaden and strengthen participatory democracy and the inclusion of women on an egalitarian, pluralistic and multicultural basis in the region, guaranteeing and encouraging their participation and valuing the function they perform in social and economic affairs and in public policymaking, and adopting measures and strategies for positioning them in decision-making spheres, opinion, information and communication;

viii) To develop electoral policies of a permanent character that will prompt political parties to incorporate women's agendas in their diversity, the gender perspective in their content, actions and statutes, and the egalitarian participation, empowerment and leadership of women with a view to consolidating gender parity as a policy of State;

ix) To seek the commitment of political parties to implement affirmative action and strategies for communication, financing, training, political education, oversight and internal organizational reforms in order to achieve participation

xi) To encourage and secure the commitment of the media to recognize the importance of parity in women's participation in political processes, to offer fair and balanced coverage of all candidates and to cover the various forms taken by women's political participation and the issues that affect them;<sup>10</sup>

xii) To adopt public policies, including laws when possible, for eradicating sexist, stereotypical, discriminatory and racist content in the media and to motivate them to promote egalitarian relationships and responsibilities between women and men;

xiv) To adopt measures in all spheres of institutional democratic affairs and, in particular, in economic and social areas, including legislative measures and institutional reforms, to ensure recognition of unpaid work and its contribution to families' well-being and to countries' economic development, and to promote its inclusion in national accounts;

<sup>10</sup>See operative paragraph 2(m) of resolution 58/142 of the United Nations General Assembly.

xvii) To guarantee the elimination of all discriminatory, precarious and illegal labour conditions, and to encourage women's participation in creative, innovative occupational sectors that transcend sexist forms of labour segregation;

xviii) To formulate and implement public policies to broaden sustainable access for women to land ownership and access to water, other natural and productive resources, sanitation and other services, and financing and technologies, valuing work done for household consumption and recognizing the diversity of economic initiatives and their contributions, with particular guarantees for rural women, indigenous women and Afro-descendent women in their historical territories when relevant;

xix) To implement public affirmative action policies for Afro-descendent women in countries where they are not fully integrated into the development process and for indigenous women as measures of social reparation to ensure their participation, on an equal footing, in the region's political, economic, social and cultural affairs;

xxi) To equalize the labour conditions and rights of domestic work with those of other types of paid work in accordance with ratified International Labour Organization conventions and international standards of women's rights, and to eradicate all forms of exploitation of domestic work by girl and boy children;

xxii) To eliminate the income gap between women and men and wage discrimination in all areas of work, and to propose that legislative and institutional mechanisms that give rise to discrimination and precarious working conditions be abrogated;

xxiv) To ensure that sexual and reproductive rights which are human rights and that universal access to comprehensive healthcare, which includes sexual and reproductive healthcare, are considered to be an essential condition for guaranteeing women's participation in political affairs and in paid work and, hence, in decision-making positions for all women and, as a matter of priority, for young women, the poorest women, indigenous women, Afro-descendent women, rural women and women with disabilities;

xxv) To implement measures and policies that take into account the linkages between social and economic vulnerabilities as they relate to women's possibilities of participating in politics and in paid work, especially in terms of access to sexual and reproductive healthcare, water and sanitation, and HIV/AIDS prevention, treatment and care, with priority being placed on the poorest women and their families;

xxviii) To adopt measures that contribute to the elimination of all forms of violence against women and their manifestations, especially homicide of women, femicide and feminicide, as well as to the elimination of unilateral measures that run counter to international law and to the United Nations Charter, whose fundamental consequences are borne by women, girl children and adolescents;

xxix) To guarantee access to justice for women, adolescents and girl children who have been victims of gender violence, with no discrimination whatsoever, through the creation of legal and institutional conditions that guarantee transparency, truth, justice and the consequent reparation of the violation of their rights, strengthening public policies for protection, prevention and care with a view to the eradication of all forms of violence;

xxx) To develop comprehensive, non-sexist public education programmes designed to counter gender and racial stereotypes and other cultural biases against women and promote relationships of mutual support between women and men;

xxxiv) To promote respect for undocumented women's integral human rights and to take steps to guarantee full access to identity and citizenship documents for all women, especially for those who have been excluded from this right, such as indigenous, Afro-descendent and rural women;

xxxvi) To reaffirm our decision to promote the adoption of the International Rural Women's Day within the United Nations as an explicit recognition of their economic contribution and the development of their communities, in particular with regard to the unpaid work they perform;

# CONVENTION 169 CONCERNING INDIGENOUS AND TRIBAL PEOPLES IN INDEPENDANT COUNTRIES (ILO) 1989

6. Recognising the aspirations of these peoples to exercise control over their own institutions, ways of life and economic development and to maintain and develop their identities, languages and religions, within the framework of the States in which they live, and

7. Noting that in many parts of the world these peoples are unable to enjoy their fundamental human rights to the same degree as the rest of the population of the States within which they live, and that their laws, values, customs and perspectives have often been eroded.

## Part I. General Policy

### Article 3

1. Indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination. The provisions of the Convention shall be applied without discrimination to male and female members of these peoples.

### Article 6

1. In applying the provisions of this Convention, governments shall:

a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;

b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them;

2. The consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

### Article 7

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

3. Governments shall ensure that, whenever appropriate, studies are carried out, in co-operation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities.

### Article 12

The peoples concerned shall be safeguarded against the abuse of their rights and shall be able to take legal proceedings, either individually or through their representative bodies, for the effective protection of these rights. Measures shall be taken to ensure that members of these peoples can understand and be understood in legal proceedings, where necessary through the provision of interpretation or by other effective means.

Part II. Land

### Article 13

1. In applying the provisions of this Part of the Convention governments shall respect the special importance for the cultures and spiritual values of the peoples concerned of their relationship with the lands or territories, or both as applicable, which they occupy or otherwise use, and in particular the collective aspects of this relationship.

### Article 14

1. The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised. In addition, measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect.

### Article 15

1. The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management and conservation of these resources.

2. In cases in which the State retains the ownership of mineral or sub-surface resources or rights to other resources pertaining to lands, governments shall establish or maintain procedures through which they shall consult these peoples, with a view to ascertaining whether and to what degree their interests would be prejudiced, before undertaking or permitting any programmes for the exploration or exploitation of such resources pertaining to their lands. The peoples concerned shall wherever possible participate in the benefits of such activities, and shall receive fair compensation for any damages which they may sustain as a result of such activities.

### **Article 16**

1. Subject to the following paragraphs of this Article, the peoples concerned shall not be removed from the lands which they occupy.
2. Where the relocation of these peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.

### **Article 17**

3. Persons not belonging to these peoples shall be prevented from taking advantage of their customs or of lack of understanding of the laws on the part of their members to secure the ownership, possession or use of land belonging to them.

### **Article 18**

Adequate penalties shall be established by law for unauthorised intrusion upon, or use of, the lands of the peoples concerned, and governments shall take measures to prevent such offences.

## **Part III. Recruitment and Conditions of Employment**

### **Article 20**

2. Governments shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards:

3. The measures taken shall include measures to ensure:
  - (a) that workers belonging to the peoples concerned, including seasonal, casual and migrant workers in agricultural and other employment, as well as those employed by labour contractors, enjoy the protection afforded by national law and practice to other such workers in the same sectors, and that they are fully informed of their rights under labour legislation and of the means of redress available to them;
  - (b) that workers belonging to these peoples are not subjected to working conditions hazardous to their health, in particular through exposure to pesticides or other toxic substances;
  - (c) that workers belonging to these peoples are not subjected to coercive recruitment systems, including bonded labour and other forms of debt servitude;
  - (d) that workers belonging to these peoples enjoy equal opportunities and equal treatment in employment for men and women, and protection from sexual harassment.

## **Part IV. Vocational Training, Handicrafts and Rural Industries**

### **Article 22**

3. Any special training programmes shall be based on the economic environment, social and cultural conditions and practical needs of the peoples concerned. Any studies made in this connection shall be carried out in co-operation with these peoples, who shall be consulted on the organisation and operation of

such programmes. Where feasible, these peoples shall progressively assume responsibility for the organisation and operation of such special training programmes, if they so decide.

## **Part V. Social Security and Health**

### **Article 25**

22. Health services shall, to the extent possible, be community-based. These services shall be planned and administered in co-operation with the peoples concerned and take into account their economic, geographic, social and cultural conditions as well as their traditional preventive care, healing practices and medicines.

## **Part VI. Education and Means of Communication**

### **Article 27**

11. Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.
3. In addition, governments shall recognise the right of these peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. Appropriate resources shall be provided for this purpose.

### **Article 28**

1. Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.

### **Article 31**

Educational measures shall be taken among all sections of the national community, and particularly among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbour in respect of these peoples. To this end, efforts shall be made to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples.

# INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION ADOPTED AND OPENED FOR SIGNATURE AND RATIFICATION BY GENERAL ASSEMBLY RESOLUTION 2106 A (XX) OF 21 DECEMBER 1965

## Entry into force 4 January 1969, in accordance with Article 19

The States Parties to this Convention,

2. Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

4. Considering that the United Nations has condemned colonialism and all practices of segregation and discrimination associated therewith, in whatever form and wherever they exist, and that the Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960 (General Assembly resolution 1514 (XV)) has affirmed and solemnly proclaimed the necessity of bringing them to a speedy and unconditional end,

7. Reaffirming that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples and the harmony of persons living side by side even within one and the same State,

9. Alarmed by manifestations of racial discrimination still in evidence in some areas of the world and by governmental policies based on racial superiority or hatred, such as policies of apartheid, segregation or separation,

10. Resolved to adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination,

Have agreed as follows:

## PART I

### Article 1

4. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.

### Article 2

1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end:

c) Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists;

d) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization;

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

### Article 3

States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

### Article 4

a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

**Article 5**

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

(c) Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

(e) Economic, social and cultural rights, in particular:

(f) The right of access to any place or service intended for use by the general public, such as transport hotels, restaurants, cafes, theatres and parks.

**Article 6**

States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

**Article 7**

States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

# INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT AND ERADICATION OF VIOLENCE AGAINST WOMEN "CONVENTION OF BELEM DO PARA"

(Adopted in Belém do Pará, Brasil, on June 9, 1994, at the twenty fourth regular session of the General Assembly)

## THE STATES PARTIES TO THIS CONVENTION,

4. RECALLING the Declaration on the Elimination of Violence against Women, adopted by the Twenty-fifth Assembly of Delegates of the Inter-American Commission of Women, and affirming that violence against women pervades every sector of society regardless of class, race or ethnic group, income, culture, level of education, age or religion and strikes at its very foundations:

HAVE AGREED to the following:

## CHAPTER I DEFINITION AND SCOPE OF APPLICATION

### Article 2

Violence against women shall be understood to include physical, sexual and psychological violence:

a. that occurs within the family or domestic unit or within any other interpersonal relationship, whether or not the perpetrator shares or has shared the same residence with the woman, including, among others, rape, battery and sexual abuse;

b. that occurs in the community and is perpetrated by any person, including, among others, rape, sexual abuse, torture, trafficking in persons, forced prostitution, kidnapping and sexual harassment in the workplace, as well as in educational institutions, health facilities or any other place; and

c. that is perpetrated or condoned by the state or its agents regardless of where it occurs.

## CHAPTER II RIGHTS PROTECTED

### Article 4

Every woman has the right to the recognition, enjoyment, exercise and protection of all human rights and freedoms embodied in regional and international human rights instruments.

### Article 5

Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights.

## CHAPTER III DUTIES OF THE STATES

### Article 7

The States Parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to:

c) include in their domestic legislation penal, civil, administrative and any other type of provisions that may be needed to prevent, punish and eradicate violence against women and to adopt appropriate administrative measures where necessary;

e) take all appropriate measures, including legislative measures, to amend or repeal existing laws and regulations or to modify legal or customary practices which sustain the persistence and tolerance of violence against women;

g) establish the necessary legal and administrative mechanisms to ensure that women subjected to violence have effective access to restitution, reparations or other just and effective remedies; and

### Article 8

The States Parties agree to undertake progressively specific measures, including programs:

b) to modify social and cultural patterns of conduct of men and women, including the development of formal and informal educational programs appropriate to every level of the educational process, to counteract prejudices, customs and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on the stereotyped roles for men and women which legitimize or exacerbate violence against women;

f) to provide women who are subjected to violence access to effective readjustment and training programs to enable them to fully participate in public, private and social life;

### Article 9

With respect to the adoption of the measures in this Chapter, the States Parties shall take special account of the vulnerability of women to violence by reason of, among others, their race or ethnic background or their status as migrants, refugees or displaced persons. Similar consideration shall be given to women subjected to violence while pregnant or who are disabled, of minor age, elderly, socioeconomically disadvantaged, affected by armed conflict or deprived of their freedom.



# CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Adopted and opened for signature, ratification and accession by General Assembly resolution 34/180 of 18 December 1979

Entry into force 3 September 1981, in accordance with article 27(1)

The States Parties to the present Convention,

7. Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

10. Emphasizing that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

11. Affirming that the strengthening of international peace and security, the relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Have agreed on the following:

## PART I

### Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

g) To repeal all national penal provisions which constitute discrimination against women.

## PART III

### Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

### Article 11

a) The right to work as an inalienable right of all human beings;

e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

### Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

a) To participate in the elaboration and implementation of development planning at all levels;

b) To have access to adequate health care facilities, including information, counselling and services in family planning;

d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

#### **PART IV**

##### **Article 15**

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

##### **Article 16**

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

c) The same rights and responsibilities during marriage and at its dissolution;

e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.