



# DECLARATION OF THE SECOND INDIGENOUS PEOPLES SUMMIT OF THE AMERICAS

**BUENOS AIRES, ARGENTINA  
OCTOBER 27, 28 & 29, 2005**

## PREAMBLE

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### WHEREAS

We, the representatives of Indigenous Peoples and Nations of the North, Central, South and Caribbean Antilles regions of Abya Yala, pre-existent to the American States, gathered at the 2nd Summit of the Indigenous Peoples in Buenos Aires, Argentina, with the ultimate goal of completing a unity pact that respects our cultural diversity; guarantees our historical continuity; makes our rights a reality; and guarantees our democratic participation in a participatory democracy that is reflected in public policies, based on a relationship of respect between Indigenous Peoples and the States.

We reaffirm the principals of Indigenous Peoples set out in the Ottawa Declaration of the First Indigenous Peoples Summit of the Americas, 2001, and the spirit of the Declaration, as an exercise of Indigenous Peoples' inherent authority as distinct governments.

We reaffirm once more our right to self-determination as Indigenous Peoples and Nations, which we held and enjoyed prior to the colonization of our territories.

We emphasize the need for all international forums to promote States' responsibilities to obtain the free, prior and informed consent of Indigenous Peoples and to establish the government-to-government relationship that impacts positively in the overall relationship between Indigenous Peoples and States.

We assert our ancestral right, that is irrevocable, to protect and safeguard our territories, lands and critical resources. We have been, are and will always be the



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best stewards of our collective environment, which is the fundamental basis of our self-determination as Indigenous Peoples.

We demand that States acknowledge the detrimental impact of their inappropriate policies respecting Indigenous Peoples. The impetus of destructive development has harmed our Mother Earth. It is time to develop new initiatives that respect and benefit our Peoples and all of humanity.

We make a general call upon all of Society to construct new relationships of respect that eliminate the discrimination and the exclusion of Indigenous Peoples. The alarming increase of extreme poverty obliges us to take action expeditiously.

## THEREFORE, WE DECLARE:

### CONCERNING THE RELATIONSHIP BETWEEN ALL INDIGENOUS PEOPLES:

#### I. Governance and Self-Determination:

We reaffirm our right to self-determination as Indigenous Peoples and Nations. We hold an ancestral world view and we seek to contribute to the strengthening of our systems of governance of our Nations. Without our inclusion, on an equal footing, democracy within the States will remain incomplete and unsatisfactory.

We call upon all of our Indigenous brothers, sisters, and Indigenous Peoples to defend and ensure the accomplishment of the proposals and recommendations of the First and Second Indigenous Summit of the Americas, which have expressed the principal demands of Indigenous Peoples in the hemisphere.

We urge the development and strengthening of a new system of bicultural and bilingual education, based on mutual respect for cultural diversity. Our right to Indigenous education at all levels continues to be an unmet demand. The alarming statistics of illiteracy among our Peoples is an example of educational failures of many government initiatives.

As expressed in the Preamble of the present Declaration, we ratify the content of the Declaration of the First Indigenous Summit concerning our communal intellectual property and Indigenous culture and heritage.

We value children, youth, women and the Elders. We commit to ensuring that governments and international aid agencies create policies that are specifically directed at our communities, and design more effective initiatives, which to date



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have had limited success. We manifest our strong concern regarding the vulnerability of Indigenous children. We commit to making the States aware of our priority regarding the vulnerability of Indigenous Children. Child labour, the spread of HIV AIDS, the forced conscription into armed conflicts, and the trafficking and the migration of children, are some of the emergency situations that governments must address in coordination with Indigenous Peoples.

We respect the exercise of self-determination of Indigenous Peoples in voluntary isolation or initial contact.

We denounce and repudiate the desecration and pillage of our sacred sites for the purposes of public or private research; we prohibit the entry into our territories for these purposes. We also demand the return of our cultural property to our Peoples.

We reject and repudiate the agreements between States such as ALCA, NAFTA, PPP, Plan Columbia, CBM, MIE, Mercosur and TLC because they affect the integrity of our lands, territories and resources; thus restricting, altering and diminishing the exercise of our rights as Indigenous Peoples.

## II. Lands, Territories and Resources:

We affirm that Indigenous Peoples and Nations have maintained, from time immemorial, a relationship with our Mother Earth. We are part of the land and the land is part of us. The territory: the lands, the forests, the animals, the rivers, the lakes, the oceans, the rocks, the mountains, the wind and air, and sacred sites are all part of a holistic and cosmic relationship. All of these key resources are collective assets that our ancestors defended and that we continue to defend. We make the legacy of our Elders ours in giving priority and vigilance to our territorial rights.

We now exercise and will continue to exercise our right as Indigenous Peoples for the preservation and the enjoyment of the cultural and natural heritage, and of the richness of our biological diversity. The use and benefit that derive from this enjoyment should be fundamentally oriented towards the development of Indigenous Peoples.

We reserve the right to prior consultation and participation, and to reliable and useful information, with the goal of giving free, prior and informed consent concerning matters that have an impact on the lands, territories of resources of Indigenous Peoples. The right to adequate consultation and participation should prevent abuses, violation and the failure to recognize our rights as peoples.



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We reaffirm the vitality of our ancestral spiritual practices as the basis and essence of our existence as Peoples, which can only be expressed in an integrated harmonic relationship with our territories.

### III. Sustainable Development:

We claim our cultural, natural, social and economic heritage. We give notice that the lack of political will of the States to recognize this heritage contributes to the economic impoverishment of Indigenous Peoples.

We affirm that Indigenous development is based on land tenure systems; the use and occupation of our territories; and on the cultural, natural, social and political richness of Indigenous Peoples and requires new mechanisms and resources that preserve the ancestral practices and values of our Peoples. Given these principles, we commit to advocate that the States be effective and implement them.

## CONCERNING THE RELATIONSHIP BETWEEN INDIGENOUS PEOPLES AND STATES:

### I. Self-Determination:

We demand the recognition of Indigenous Peoples' collective rights, such as the right to self-determination and the right to self-identification. These fundamental rights are essential to the establishment of good government, political stability and peace in the Americas.

We believe that we will have complete and effective democratic participation in the Americas when the States understand Indigenous existence and realities; ensure an intercultural dialogue for Indigenous Peoples and organizations; and create State models that incorporate the diversity of Indigenous Peoples, thus eliminating practices and policies of assimilation.

We demand Indigenous Peoples' direct participation in International forums including dialogues within the OAS, aimed at securing the American Declaration on the Rights of Indigenous Peoples, and deem it necessary to reinforce the legitimacy of Indigenous Peoples' representatives in the OAS by generating new spaces that States will differentiate from Civil Society.

Given that there already exists, in some States, a government to government relationship with Indigenous Peoples, and given the desire for unity between



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Indigenous Peoples, as expressed in this Declaration, we request that the OAS consider Indigenous Peoples as “Peoples” and as a result, we seek:

- A. The creation of a Permanent Forum on Indigenous People within the OAS;
- B. That all OAS documents incorporate the collective rights of Indigenous Peoples; and that the OAS successfully complete and approve the Draft American Declaration on the Rights of Indigenous Peoples;
- C. A specific budget for the Inter-American Commission and Court to guarantee the access of Indigenous Peoples to justice; and
- D. The implementation and guarantee of the participation of Indigenous Peoples, on the same footing as other governments, to intervene in the annual convention on climate change, which has been proposed for more than 7 years.

We call on those States who have not done so to adopt and ratify the International Labour Organization Convention #169 on Indigenous and Tribal Peoples in Independent Countries. States that have ratified should guarantee that it is implemented and adequately accommodated in their legislation and policies.

We request that the States apply the principles of the World Conference Against Racism which the General Assembly of the United Nations has accepted.

We acknowledge the creation of the United Nations Permanent Forum on Indigenous Issues and support its evaluation with Indigenous voices and a sustained commitment to extend the Forum’s mandate.

We acknowledge the OAS Fourth Summit of the Americas’ inclusion of the First Indigenous Summit of the Americas Declaration’s call for the eradication of impoverishment and extreme poverty and call on the OAS to address poverty by fostering the spiritual, cultural, and governmental strengths of Indigenous Peoples and not by States’ continued exploitation of Indigenous Peoples’ resources and unregulated consumption.

The constitutional recognition of our collective rights and the effective participation in processes of constitutional reform as Indigenous Peoples are essential. The States must create the necessary and appropriate instruments that lead to the creation of structures that will ensure the full enjoyment of these rights.

We seek a just relationship between the Indigenous Peoples and the governments of the American States, and urge States to ensure Indigenous Peoples’ universal



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access to justice systems that are free of cost and are expeditious, and that the burden of proof in relation to our existence as Indigenous Peoples be reversed. We also seek the recognition of Indigenous laws and jurisdiction that arise from the principles, values, norms and guidelines of our ancestral rights.

The States shall adopt adequate measures, with the knowledge and participation of Indigenous Peoples and organizations, to recognize, respect and protect the lands, territories, environment, and cultures of Indigenous Peoples in voluntary isolation or in initial contact, as well as the lives and integrity of their members. These measures shall include those necessary to prevent, prohibit and punish any type of intrusion into their territories.

We demand the guarantee of the exercise and full enjoyment of our rights of self-identification and self-determination in both urban and rural areas.

We demand respect for our cultural heritage and urgent and effective measures for its restitution, in particular our sacred sites and objects that were left for us as a legacy by our ancestors.

In the exercise of our territorial rights, we deny and renounce States' assumption of the right to dispose of our lands, territories and resources, in particular in the implementation of agreements such as ALCA, NAFTA, PPP, Plan Colombia, CBM, MIE, Mercosur and TLC.

## II. Land, Territories and Resources:

We promote land regularization, self-demarcation and titling of lands in order to secure the legality of the territories, which we have owned, used and occupied from time immemorial and to secure sustainable development that conforms to and guarantees Indigenous Peoples' identity.

We demand that States recognize and legally guarantee our collective rights over our original lands, territories and resources; and over our political, social and economic life, thus ensuring ancestral legitimacy and title and recognizing the principal of the right to exercise these.

We demand the implementation of public policy that is clear, transparent and effective to protect our life and environment from the actions and policies of financial and governmental corporations that are of a multinational, international or national nature, such as the International Monetary Fund, the World Bank, and Inter-American Development Bank. It is urgent and essential to prevent the ongoing pollution and irreversible loss of biodiversity; and in particular, we emphasize the pollution caused by extractive industries and activities.



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We urge States to stop the actions and programs that are anti-terrorist, ant-drug, and anti-subversion in our territories, where they interfere with our right to self-determination and assimilate our cause into movements in which we are not involved.

We urge the States to implement policies to prohibit the militarization of the territories and the violation of human rights of Indigenous Peoples.

We reject the creation of protected areas and declarations of human heritage sites in our territories because they disregard our ancestral rights, which we possess since time immemorial. In this regard, they deny us the possession, use and occupation of our territories, and, in particular, lead to the pillaging of our sacred sites.

### III. Sustainable Development:

We consider the Kyoto Protocol, 1997 insufficient, because it permits States to continue exploiting our lands, resources and territories, particularly water resources, in situations where they permit the intrusion of extractive industries and the generation of electricity through large hydro-electric projects, in favor of development; this in spite of the well known negative impacts on our territories and traditional communities, which continue to be displaced.

We denounce environmental contamination through the inappropriate and indiscriminate use of resources, which has caused irremediable physical and mental disabilities in the Indigenous population. We demand reparation for the damages suffered, as well as decent and safe work conditions for our communities, which are in conformity with international conventions, which the States have accepted.

We demand that the States recognize the negative impacts of their policies on Indigenous Peoples; it is time to implement new initiatives to repair the damages that have occurred and provide for the restitution of our lands, territories and resources through the achievement of sustainable development.

We urge States to create and implement significant international legal instruments that are suitable and efficient which incorporate initiatives and principles to preserve the practices and values of Indigenous Peoples in order to preserve Mother Earth.



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## CONCERNING THE RELATIONSHIP BETWEEN INDIGENOUS PEOPLES, CIVIL SOCIETY AND RELIGIOUS INSTITUTIONS:

### I. Self-Determination:

We call on Civil Society to provide greater opportunities for Indigenous Peoples to discuss their concerns with Civil Society as distinct governmental entities.

We call on religious institutions to stop implementing religious programs that alter, restrict, or impair our spirituality.

### II. Lands and Resources:

We call on Civil Society and religious institutions to acknowledge the relationship of Indigenous Peoples to the lands and resources in their ancestral territories.

We call on Civil Society to support Indigenous Peoples' efforts to enforce States responsibilities to attain the free, prior and informed consent of Indigenous Peoples before implementing policies that impact Indigenous Peoples' lands, territories and resources.

### III. Sustainable Development:

We call on Civil Society and religious institutions to acknowledge the intrinsic value of Indigenous Peoples' relationships to their lands and resources, spiritual values and ancestral belief systems.

We call on Civil Society and religious institutions to promote the need for a greater understanding among all peoples of the implications for unsustainable use and stewardship of economic resources.

With this Declaration; the approval of the Declaration of the Women's Symposium of the Second Indigenous Summit of the Americas (October 24th and 25th, 2005 – Uspallata, Mendoza); the results of the Youth Symposium (October 25th and 26th, 2005, Buenos Aires); and the results of the Hemispheric Symposium of Indigenous Languages (October 27th, and 28th, 2005, Buenos Aires) which are annexed, the representatives of Indigenous Peoples reaffirm our existence, in the lands and territories of the hemisphere.

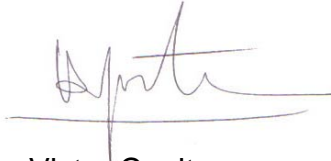


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*“Determining Our Future, Guided by our Traditional Teachings and Mother Earth.”*

*This Declaration was approved by the Plenary.*

Buenos Aires, October 29, 2005.



Victor Capitan  
ORGANIZACION DE NACIONES Y  
PUEBLOS INDIGENAS EN  
ARGENTINA



Grand Chief Edward John  
ASSEMBLY OF FIRST NATIONS

Signed by ONPIA President Victor Capitan and AFN Representative, Grand Chief Edward John on behalf of the Indigenous Summit Planning Committee.

