

COMMITTEE ON JURIDICAL AND POLITICAL AFFAIRS

Working Group to Prepare the Draft American Declaration
on the Rights of Indigenous Peoples

WORK PLAN
OF THE WORKING GROUP TO PREPARE THE DRAFT
AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES
(2008-2009)

I. INTRODUCTION

At its thirty-eighth regular session, the General Assembly of the Organization of American States adopted resolution AG/RES. 2368 (XXXVIII-O/08), reaffirming that the adoption of the American Declaration on the Rights of Indigenous Peoples remains a priority for the OAS and emphasizing the importance of full and effective participation by the indigenous peoples in the process of preparing the Draft Declaration.

In the aforementioned resolution, the General Assembly also renewed the mandate of the Working Group so as to complete the drafting of the Declaration, on the basis of the "Record of the Current Status of the Draft American Declaration on the Rights of Indigenous Peoples" (GT/DADIN/doc.301/07) and taking into consideration the "Compendium of Proposals of Negotiations in the Quest for Points of Consensus" (GT/DADIN/doc.255/06 rev. 2 and add. 2), the other relevant documents of the Working Group, and the proposals put forward by member states and indigenous peoples' representatives.

II. THE ACTIVITIES OF THE WORKING GROUP (2007-2008)

The Working Group held seven regular meetings during the 2007-2008 term. It also held two informal meetings. A special meeting for reflection on the American Declaration on the Rights of Indigenous Peoples and one meeting of negotiations in the quest for points of consensus were held, with full and effective participation by representatives of the indigenous peoples.

During the meetings prior to the Special Meeting for Reflection, the Working Group had the opportunity to receive and consider new proposals presented by the Chair of the Group. These proposals were intended not only to establish the format for and enhance the Meeting for Reflection but also to offer new options for the Group's future activities.

The report of the Chair on the Meeting for Reflection, held from November 26 to 28, 2007, in Washington, D.C., has been published as document GT/DADIN/doc.321/08. The document of the

Meeting for Reflection on the outcomes and recommendations presented to the Permanent Council on November 28, 2007, has been published as document GT/DADIN/doc.324/08 rev. 1). Likewise, the suggestions and comments of the permanent missions on the Draft American Declaration on the Rights of Indigenous Peoples, which were made after the Meeting for Reflection, as requested by the Permanent Council, may be found in document CP/doc.4263/08).

The Eleventh Meeting of Negotiations in the Quest for Points of Consensus was held in Washington D.C., on April 14-18, 2008. The Report of the Chair on this meeting is to be found in document GT/DADIN/doc.339/08, which summarizes his suggestions as follows:

1. Establish a coordination office, of a technical, not political, nature, primarily to perform a facilitation function and thereby expedite the draft declaration;
2. Establish a plan of action parallel to the negotiation process. That plan of action should be geared to, and drawn up in accordance with, indigenous peoples' priorities.
3. Strive to recreate an updated indigenous institute that would make full use of the assets of the Inter-American Indigenous Institute, which is now nearing its end.

The Working Group completed its tasks in mid-May with the presentation of a draft resolution that was subsequently approved in the Committee on Juridical and Political Affairs. Finally, the General Assembly adopted resolution AG/RES. 2368 (XXXVIII-O/08), which generated a mandate, which is addressed below.

III. OFFICERS

At its meeting of September 4, 2008, the Committee on Juridical and Political Affairs elected by acclamation Ambassador Reynaldo Cuadros Anaya, the Permanent Representative of Bolivia, as Chair of the Working Group for the 2008-2009 term. His candidacy was presented by the delegation of Brazil and seconded by the delegation of Guatemala. The Vice Chairs of the Working Group will be elected at its first meeting.

IV. MANDATE

1. Through resolution AG/RES. 2368 (XXXVIII-O/08), the OAS General Assembly meeting in Medellín, Colombia in June 2008, requested that the Permanent Council instructed the Working Group to:
 - a. Hold, between September 2008 and March 2009, up to three meetings, each of up to five days, one of them a special meeting for evaluation and strengthening of the negotiation process and to propose specific actions for addressing the issues, and the two others Meetings of Negotiations in the Quest for Points of Consensus for negotiation of the document "Record of the Current Status of the Draft American Declaration on the Rights of Indigenous Peoples." At least one of the three meetings is to be held at the headquarters of the Organization;

- b. Ensure that the Chair of the Working Group engages in informal consultations with those involved in the process and presents the conclusions thereof in a document for the special meeting for presentation to the Working Group for its consideration;
 - c. Take the appropriate measures to ensure effective participation by representatives of indigenous peoples; and
 - d. Seek consensual solutions that address the needs of the indigenous peoples and the specific characteristics of the region.
2. To request the Selection Board of the Specific Fund to continue to work according to the principle of transparency established in resolution CP/RES. 873 (1459/04), "Amendments to the Specific Fund to Support the Preparation of the American Declaration on the Rights of Indigenous Peoples."
 3. To request the General Secretariat and the organs, agencies, and entities of the Organization to lend their valuable support to the process of drafting the American Declaration on the Rights of Indigenous Peoples; and to thank them for their ongoing contribution to that process.
 4. To request the Permanent Council to report to General Assembly at its thirty-ninth regular session on the implementation of this resolution, the execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.

This work plan is subject to any changes the Group itself might approve or that are needed in accordance with the progress made with the tasks assigned to the Group, in order to ensure optimum results.

Ambassador Reynaldo Cuadros Anaya
Chair of the Working Group to Prepare
the Draft American Declaration on
the Rights of Indigenous Peoples

**V. WORK PLAN OF THE WORKING GROUP TO PREPARE THE DRAFT AMERICAN DECLARATION
ON THE RIGHTS OF INDIGENOUS PEOPLES
(2008 -2009)**

RESOLUTION	TITLE	MANDATE	ACTIVITIES
AG/RES. 2368 (XXXVIII-O/08)	Draft American Declaration on the Rights of Indigenous Peoples	<p>a. Hold, between September 2008 and March 2009, up to three meetings, each of up to five days, one of them a special meeting for evaluation and strengthening of the negotiation process and to propose specific actions for addressing the issues, and the two others Meetings of Negotiations in the Quest for Points of Consensus for negotiation of the document “Record of the Current Status of the Draft American Declaration on the Rights of Indigenous Peoples.” At least one of the three meetings is to be held at the headquarters of the Organization;</p> <p>b. Ensure that the Chair of the Working Group engages in informal consultations with those involved in the process and presents the conclusions thereof in a document for the special meeting for presentation to the Working Group for its consideration.</p>	<p>Pursuant to this mandate, the Chair of the Working Group proposes the following sequence of activities:</p> <ol style="list-style-type: none"> 1. Hold a prior meeting with a small group of representatives of the member states and of the indigenous peoples to prepare an alternative, simple, and consolidated draft of the Declaration. 2. Hold the Special Meeting, to present the new proposed draft Declaration and examine its viability. The Meeting would also discuss other key issues for making headway in the negotiations on the Declaration. 3. Hold the Twelfth Meeting of Negotiations in the Quest for Points of Consensus, devoted to negotiation of the new draft Declaration. 4. Thirteenth Meeting of Negotiations in the Quest for Points of Consensus. This meeting would examine a draft proposal for implementation of the Declaration.

**VI. CALENDAR OF MEETINGS AND ACTIVITIES
2008 – 2009**

DATE	MEETING CAJP/WG/RDI	ACTIVITY
September	9	<ul style="list-style-type: none">• Election of Vice Chairs• Report on the Specific Fund to Prepare the Draft American Declaration on the Rights of Indigenous Peoples• Presentation of the Group's Work Plan• Preparations and considerations for the Special Meeting of the Group (selection of date and topics, methodology, participants)• Other business (to be determined)
September	23	<ul style="list-style-type: none">• Preparations and considerations for the Special Meeting of the Group (presentation of the Chair's proposal, presentation of the draft schedule and draft agenda)• Other business (to be determined)
September	30	<ul style="list-style-type: none">• Preparations and considerations for the Special Meeting of the Group (presentation of the Chair's proposal, presentation of the draft schedule and draft agenda)• Other business (to be determined)
October	7	<ul style="list-style-type: none">• Preparations and considerations for the Special Meeting of the Group (adoption of the draft schedule and draft agenda)• Other business (to be determined)

DATE	MEETING CAJP/WG/RDI	ACTIVITY
October	14	<ul style="list-style-type: none">• Preparations and considerations for the Special Meeting of the Group (adoption of the draft schedule and draft agenda of the Special Meeting)• Other business (to be determined)
October	21	<ul style="list-style-type: none">• Preparations and considerations for the Special Meeting of the Group (presentation and approval of final documents for the Special Meeting, report on the participation of the Indigenous Peoples' Caucus)• Other business (to be determined)
October	28	<ul style="list-style-type: none">• Preparations and considerations for the Special Meeting of the Group (presentation and approval of final documents for the Special Meeting, report on the participation of the Indigenous Peoples' Caucus)• Other business (to be determined)
November	3-7	<ul style="list-style-type: none">• SPECIAL MEETING
November	18	<ul style="list-style-type: none">• Evaluation and analysis of the Special Meeting• Preparation of the Twelfth Meeting of Negotiations in the Quest for Points of Consensus• Other business (to be determined)
December	2	<ul style="list-style-type: none">• Preparation of the Twelfth Meeting of Negotiations in the Quest for Points of Consensus (presentation of the draft Schedule and the draft agenda)• Other business (to be determined)

DATE	MEETING CAJP/WG/RDI	ACTIVITY
January	13	<ul style="list-style-type: none"> • Preparation of the Twelfth Meeting of Negotiations in the Quest for Points of Consensus (adoption of the draft schedule and draft agenda) • Other business (to be determined)
January	20	<ul style="list-style-type: none"> • Preparation of the Twelfth Meeting of Negotiations in the Quest for Points of Consensus (presentation and adoption of the final documents for the meeting, report on the participation of the Indigenous Peoples' Caucus) • Other business (to be determined)
January	26-30	<p style="text-align: center;">TWELFTH MEETING OF NEGOTIATIONS IN THE QUEST FOR POINTS OF CONSENSUS</p>
February	3	<ul style="list-style-type: none"> • Evaluation and analysis of the Twelfth Meeting of Negotiations in the Quest for Points of Consensus • Preparation of the Thirteenth Meeting of Negotiations in the Quest for Points of Consensus • Other business (to be determined)
February	17 21	<ul style="list-style-type: none"> • Preparation of the Thirteenth Meeting of Negotiations in the Quest for Points of Consensus • Other business (to be determined)
March	11 18	<ul style="list-style-type: none"> • Preparation of the Thirteenth Meeting of Negotiations in the Quest for Points of Consensus • Other business (to be determined)

DATE	MEETING CAJP/WG/RDI	ACTIVITY
March	23-27	THIRTEENTH MEETING OF NEGOTIATIONS IN THE QUEST FOR POINTS OF CONSENSUS
April	7	<ul style="list-style-type: none">• Evaluation and analysis of the Thirteenth Meeting of Negotiations in the Quest for Points of Consensus• Other business (to be determined)
April	21	<ul style="list-style-type: none">• Consideration of the Draft Report to the CAJP• Consideration of the Draft Resolution
May	5	<ul style="list-style-type: none">• Consideration of the Draft Resolution• End of the WG's activities.