



FIFTH SUMMIT OF THE AMERICAS
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The 3rd Indigenous Leaders Summit of the Americas Declaration
“Implementing the Rights of the Indigenous Peoples of the Americas for Present and Future
Generations”

Panama City, Panama
April 14th to 15th, 2009

“Put your Hands on our Hearts”
- Pueblo Naso Elder

The 3rd Indigenous Leaders Summit of the Americas Declaration
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We, the Indigenous Peoples, Nations and organizations from South, Central and North America and the Caribbean hereby set forth this Declaration with the vision of a future for Indigenous Peoples throughout the Americas where all rights and fundamental freedoms are respected and fully realized. Indigenous Peoples, including women and youth must be full and effective participants and partners in the implementation of these rights and fundamental freedoms.

We set forth this declaration recognizing that member states of the OAS will be convening on April 17-19 at the V Summit of the Americas in Trinidad and Tobago, with the following theme: *“Securing our Citizens’ Future by Promoting Human Prosperity, Energy Security and Environmental Sustainability.”*

The human, social, economic and cultural rights of Indigenous Peoples are recognized in the United Nations *Declaration on the Rights of Indigenous Peoples* [“UNDRIP”], as adopted by the United Nations General Assembly in September 2007. These rights are also affirmed in many other international instruments to which the OAS member states are also obligated, including: the International Labour Organization Convention 169, the Convention on all Forms of Racial Discrimination and its General Recommendation XXIII and the International Covenant on Economic Social and Cultural Rights and the International Covenant on Civil and Political Rights, among others. These rights are also affirmed in nation to nation treaties concluded between states and Indigenous Peoples, in accordance with their original intent as understood by Indigenous Peoples. We hereby affirm these rights and declare that they constitute the minimum standards for the survival, dignity and well-being of the Indigenous Peoples of the world and, specifically, in the Americas.

The UNDRIP affirms that Indigenous Peoples as Peoples are equal to all other Peoples of the world. This principle precludes States from invoking their national legal and political systems to deny respect for and protection of the rights of Indigenous Peoples and Nations. This principle also precludes the adoption of any new human rights instruments which fall below the standards contained in the UNDRIP.

Our rights must be recognized, respected, protected, promoted and implemented by Indigenous Peoples, the Organization of American States and its members, and other regional, national and international agencies and institutions. These include:

- ***Self-Determination*** as a fundamental principle from which all other rights derive, including the recognition of Indigenous governance and institutions, oral history and traditional law,

rights related to lands, natural resources and territories, respect and protection of our sacred cultural and ceremonial sites, as well as our heritage, intellectual and cultural property rights;

- ***Rights to the lands, territories and natural resources*** which Indigenous Peoples have traditionally owned, used, occupied or otherwise acquired, including the rights to preserve the integrity and productive capacity of our lands, waters, traditional subsistence foods and other resources vital for our survival;
- ***Civil and Political Rights*** including the right to full and effective participation in all national, regional and international fora, and the right not to be subjected to crimes against humanity;
- ***Economic, Social and Cultural rights*** including the right to food security, to an adequate standard of living, health, and education, particularly the right to education in Indigenous languages;
- ***The right to Free, Prior and Informed Consent*** in all matters including those related to development affecting our lands, territories, water, mineral and other resources as well as administrative, legal and legislative measures, such as measures to address climate change.
- ***The right to maintain, control, protect and develop Traditional Knowledge, Intellectual and Cultural Property and to protect and have access to our sacred sites; and***
- ***The right to remain in voluntary isolation and to live freely and in accordance with our cultures.***

We reaffirm the declarations of the 2001 and 2005 Indigenous Peoples Summits of the Americas, including the 2005 Declarations of Indigenous Women and Indigenous Youth. We reiterate our commitment to working together for the advancement of the rights of our Peoples so that one day all Indigenous Peoples in the Americas will live in peace and security, without discrimination and in a healthy environment in all spheres of life, including the spiritual, economic, social, cultural, legal and political relationships among Indigenous Peoples, with states and with members of the global community.

The Organization of American States, all member states and other regional, national and international agencies and/or institutions must not advance the themes of the V Summit of the Americas at the expense of the rights of the Indigenous Peoples of the Americas.

Finally, we set forth the attached Plan of Action based on the themes of the Draft Declaration of Commitment of the States: Promoting Human Prosperity; Promoting Energy Security; Promoting Environmental Sustainability; Strengthening Public Security; Strengthening Democratic Governance and Strengthening the Summit of the Americas; and Follow up and Implementation Effectiveness.