

CP/RES. 817 (1319/02)

SPECIFIC FUND TO SUPPORT THE ELABORATION
OF THE AMERICAN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

THE PERMANENT COUNCIL OF THE ORGANIZATION OF AMERICAN STATES,

NOTING resolution AG/RES. 1610 (XXIX-O/99), in which it was decided to establish a working group of the Permanent Council to continue consideration of the Proposed American Declaration on the Rights of Indigenous Peoples (hereinafter the Draft Declaration);

CONSIDERING operative paragraph 4 of resolution AG/RES. 1780 (XXXI-O/01), which recommended to the Permanent Council the establishment of a specific fund consisting of voluntary contributions to support the participation of representatives of indigenous peoples in meetings related to the Draft Declaration and stated that mechanisms should be sought to ensure indigenous participation in the utilization of the fund;

CONSIDERING the importance of indigenous participation in the process of elaborating the Draft Declaration and of indigenous cooperation in carrying out and publicizing the activities of the Working Group;

TAKING INTO CONSIDERATION the proposals received from member state representatives and from representatives of indigenous peoples on the establishment of the specific fund, in particular document GT/DADIN/doc.75/02; and

CONVINCED that establishing a specific fund of voluntary contributions will constitute a mechanism within the inter-American system to facilitate participation by representatives of indigenous peoples in the process of elaborating the Draft American Declaration,

RESOLVES:

1. To establish the Specific Fund to Support the Elaboration of the American Declaration on the Rights of Indigenous Peoples, hereinafter "the Fund," the purpose of which shall be to provide financial support for participation by indigenous peoples' representatives in the efforts by the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples, as well as in other activities of the Group. This financial support shall be limited to defraying travel and per diem expenses.

2. That beneficiaries of the Fund shall be chosen on the basis of the following criteria:

a. They must be representatives of indigenous organizations and communities. To facilitate selection, applicants must submit a letter from their respective organization or community designating them as their representatives. The same letter must include information supporting the request for financial assistance.

b. The representatives appointed by the indigenous organizations and communities may submit their communications to the Selection Board in any of the official languages of the Organization (English, French, Portuguese, and Spanish).

c. No more than two representatives from each indigenous organization or community shall receive financial support to participate in a single event, subject to the availability of funds.

d. The Selection Board shall take into account the equitable geographic representation of beneficiaries.

e. The Selection Board shall take gender equity and equality into account, and indigenous organizations and communities should consider this recommendation in selecting their representatives.

3. The Specific Fund shall consist of voluntary contributions by OAS member states and permanent observers to the Organization, as well as contributions by persons or institutions, whether public or private, national or international, wishing to finance achievement of the aim set forth in Article 1. Contributors to the Fund may specify that their contributions may also be used to finance other activities of the Working Group or participation in its meetings by experts on indigenous issues.

4. To instruct the Secretary General to administer the Fund in accordance with the General Standards to Govern the Operations of the General Secretariat and other rules and regulations of the Organization, with the support of a Selection Board composed of five members, who shall be: the present chair of the Working Group, the previous chair of the Working Group or, in his or her absence, the previous vice chair, and, in their personal capacity, three indigenous representatives—one from South America, one from Central America or the Caribbean, and one from North America. The indigenous members of the Selection Board shall be elected by the representatives of the indigenous peoples present at the last special meeting of the Working Group prior to the regular session of the General Assembly. Members of the Selection Board shall serve for a one-year term and shall perform their functions *ad honorem*. The Selection Board shall establish, by consensus, specific criteria for the selection of the beneficiaries, pursuant to the general criteria established in operative paragraph 2.

5. To invite all member states, permanent observers, and other donors, as defined in Article 68 of the General Standards to Govern the Operations of the General Secretariat and other rules and regulations of the Organization, to contribute to this Specific Fund.

6. The expenses of administering the Fund shall be covered by the Fund itself. Consultations among members of the Selection Board shall preferably take place by electronic or similar means so that the Fund will not have to cover the costs of its own meetings.

7. These guidelines in respect of the Fund shall take effect following their adoption by the Permanent Council and may be amended by the Council itself, on its own initiative or at the recommendation of the Secretary General or of the Selection Board mentioned in paragraph 4.

8. The viability and efficacy of the Fund shall be reviewed by the Permanent Council two years from the date of its establishment, or earlier if the Secretary General reports that there are insufficient resources in the Fund to carry out or maintain the selection process.

9. The Specific Fund's accounts shall be audited by the General Secretariat's external auditing firm and its financial statements published in the annual report of the Board of External Auditors.