

Mexico-Tenochtitlán Agreements on the Implementation of the United Nations Declaration on the Rights of Indigenous Peoples

Mexico City – Tenochtitlan, April 3, 2024

*"They came to an agreement, they put
their words and their thoughts together"
(Popol-Vuh)*

We, representatives of Indigenous Peoples of Latin America, from the countries of Argentina, Bolivia, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Mexico and Panama, gathered from April 1 to 3, 2024, in Mexico City-Tenochtitlan; who participated in the *Latin American Seminar: Progress and Challenges in the Implementation of the United Nations Declaration on the Rights of Indigenous Peoples* express our deep appreciation to the Government of Mexico, in particular the Ministry of Foreign Affairs and the National Institute of Indigenous Peoples, for their hospitality and efforts in organizing this important meeting; and

Considering

That the United Nations General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples on 13 of September, 2007 (Res. 61/295);

That the OAS General Assembly adopted the American Declaration on the Rights of Indigenous Peoples at its third plenary session on June 15, 2006, in Santo Domingo (AG/RES. 2888 XL-VI-O/16);

That the United Nations General Assembly, on 15 of September 2014, adopted the outcome document of the High-Level Plenary Meeting of the General Assembly, known as the World Conference on Indigenous Peoples, during which Heads of State and Government, ministers and representatives of States reaffirmed their support for the United Nations Declaration on the Rights of Indigenous Peoples;

That the indigenous mechanisms of the Indigenous Nations System, the Special Rapporteur on the Rights of Indigenous Peoples, the United Nations Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples, met from 26 to 28 of February 2024 at the FAO headquarters, and recommended that the United Nations Declaration on the Rights of Indigenous Peoples be used as the normative framework in the development and agreements that impact the rights, status and role of Indigenous Peoples; which includes moving away from outdated language and engaging directly with Indigenous Peoples in the development of language that is current and harmonized with that instrument;

That in the 22nd Session of the UN Permanent Forum on Indigenous Issues, recommendation 70 states that the Permanent Forum welcomes the fact that Mexico will hold an international seminar on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, in which participants will identify existing challenges and progress made, as well as recommend concrete actions at the local and international level (E/2023/43 and E/C.19/2023/7);

Reiterating the above considerations, we, representatives of Indigenous Peoples of Latin America:

1. Recognize this historic opportunity to meet, exchange ideas, assess progress and develop common work strategies for the effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples;
2. Come together with the common understanding that the gap in the implementation of this fundamental instrument on the rights of Indigenous Peoples is the most challenging obstacle and that closing this gap is a task that States, Indigenous Peoples and society in general must focus on;
3. Affirm that we must work together to achieve solutions for the good of our future generations;
4. Deeply appreciate the participation of the Chairman of the Permanent Forum on Indigenous Issues in the successful outcome of this Latin American Seminar;
5. Also thank the representatives of the participating States, including Colombia, Chile, Guatemala, Mexico, Panama, Peru and Venezuela, for their support and important contributions;
6. Recognize that, through the implementation of public policies, including the Justice and Integral Development Plans, Mexico is undertaking efforts to respect and promote the human rights of Indigenous Peoples contained in the United Nations Declaration on the Rights of Indigenous Peoples and other international instruments; and that in international spaces it promotes actions in favor of indigenous diplomacy;

And as a result of our deliberations and in order for the Rights of Indigenous Peoples to be implemented and respected, we recommend:

7. That the mechanisms of the United Nations system related to the promotion and protection of the rights of Indigenous Peoples, in particular the Special Rapporteur on the Rights of Indigenous Peoples, the United Nations Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples, Treaty Bodies and the Universal Periodic Review continue to make recommendations, including on their own forms and methods of work, in order to achieve the full and effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples.
8. Promote dialogue and negotiation between States and Indigenous Peoples in each country, in a direct manner, in order to make viable and reduce conflicts related to the rights of Indigenous Peoples, and to exchange experiences regarding their public policies with the Indigenous Peoples of the region;

9. Based on the self-determination and autonomy of Indigenous Peoples, that the entire United Nations System promote relations, practices and direct agreements with Indigenous Peoples on the recognition and effective implementation of their rights;
10. Promote the education and training of indigenous cadres, in particular authorities and representatives of Indigenous Peoples, regarding issues related to national and international litigation on the rights of Indigenous Peoples; as well as the education, training and sensitization of public authorities at all levels on the rights of Indigenous Peoples, which implies respect for and compliance with them;
11. We express our concern that the term “local communities” is used in the United Nations system, in particular in the Convention on Biological Diversity, in the process of negotiations on Climate Change and on Intellectual Property, as equivalent to Indigenous Peoples, which is detrimental, undermines and violates the United Nations Declaration on the Rights of Indigenous Peoples, generating conflicts in spaces where local communities demand rights equal to those of Indigenous Peoples;
12. Stress that, in international legal instruments and negotiation spaces, the use of the concept of Indigenous Peoples be separated from that of “local communities”;
13. Demand that all Member States and the United Nations System fulfill their responsibility to respect Indigenous Peoples as collective subjects of international law, as recognized in the United Nations Declaration on the Rights of Indigenous Peoples; and, therefore, contribute to avoiding conflict and confusion of terms or equating Indigenous Peoples with local communities or groups in vulnerable situations;
14. Demand that States allocate economic resources for the recognition and promotion of indigenous cultures and languages and that these be administered by Indigenous Peoples in their capacity as collective subjects of law; and to promote and disseminate these cultures and languages, as well as the historical and present struggles of Indigenous Peoples, through the public and private media. In this sense, actions within the framework of the International Decade of Indigenous Languages (2022-2032) must be strengthened, generating public policies that tend to linguistic revitalization with the aim of training new speakers;
15. Call upon States to expand the full and effective participation of Indigenous Peoples in international bodies addressing issues related to their cultural heritage, such as UNESCO, WIPO, FAO, among others;
16. Demand that the governments of our region consider Indigenous Peoples, as migrants and in urban contexts, as collective subjects of public law and to address their need for housing, health, education, justice, work, cultural heritage, among others;
17. Call for governments and Indigenous Peoples to promote actions in favor of the rights of indigenous women and girls in a manner consistent with CEDAW General Recommendation 39;

18. Propose that the political participation of indigenous women in spaces of the public sphere be strengthened, on an equal and non-discriminatory basis; and the creation of an international network for the legal defense of indigenous women who are persecuted and discriminated against, based on the principles of intersectionality of the United Nations, and that their struggle for the self-determination of their peoples be made visible.
19. Appreciate the initiative of the United Nations General Assembly to work on establishing new ways to increase the direct accreditation of Indigenous Peoples' representatives and authorities to UN bodies, including the General Assembly. The accreditation of representatives of Indigenous Peoples' authorities through non-governmental organizations limits participation and harms the right of Indigenous Peoples to self-determination and self-government. For this reason, we urge the Member States of the United Nations to take an immediate decision on the issue of the direct participation of Indigenous Peoples through their representative authorities and institutions, in accordance with their normative systems.

Resulting from the above, we, representatives of the Indigenous Peoples of Latin America:

20. Urge States and Indigenous Peoples to promote activities to celebrate or commemorate the 20th anniversary of the United Nations Declaration on the Rights of Indigenous Peoples in order to take stock of its implementation. To this end, we suggest that a High-Level World Conference be held to build upon the outcomes of the 2014 World Conference on Indigenous Peoples and to evaluate the creation of new standards; including the adoption of a Plan of Action to accelerate the implementation of the United Nations Declaration on the Rights of Indigenous Peoples at the local, national and international level;
21. Suggest that, as a follow-up to this Latin American Seminar, Mexico convene another meeting of experts and a regional conference of Ministers and Foreign Ministers on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, as a preparatory event for the meeting to be held in 2027 on the commemoration of its 20th anniversary;
22. Request the Government of Mexico, through its Ministry of Foreign Affairs and the National Institute of Indigenous Peoples, to submit to the Permanent Forum on Indigenous Issues the report on the results of the Latin American Seminar, and its annexes, in its upcoming 23rd session to be held from April 15 to 26, 2024, at United Nations Headquarters in New York, and to the Special Rapporteur on the Rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples in its 17th Session, to be held from 8 to 12 July 2024;
23. Promote that all UN agencies, funds and programs push for the implementation of public policies with the active, proactive and decisive participation of Indigenous

Peoples, with quantifiable parameters on the rights of Indigenous Peoples in all States;

24. We call for strengthening the organizational processes of Indigenous Peoples in each of the countries of the region. We believe that the creation of the National Council of Indigenous Peoples in Mexico, as an instance of dialogue between the Mexican State and Indigenous Peoples, is an example that could be implemented in other countries;
25. We recommend the full respect and implementation of the Treaties or Parliaments concluded during the colonial period and thereafter with National States, and Indigenous Peoples, as recognized in the United Nations Declaration on the Rights of Indigenous Peoples and other national instruments; in particular, compliance with the Treaty of Tapihue between Chile and the Mapuche People. We value the efforts that the Mapuche People are making in the framework of the implementation of their right to self-determination through the constituent process they are promoting in their country;
26. We call upon National States, in particular their legislative and parliamentary bodies, to carry out and adopt constitutional, legal and institutional reforms to fully and effectively recognize the rights of Indigenous Peoples in accordance with the principles and norms of the United Nations Declaration on the Rights of Indigenous Peoples and other relevant international instruments;
27. We also call upon these legislative and parliamentary bodies to promote, in particular, constitutional reforms to fully recognize the self-determination and autonomy, ownership of lands, territories, natural resources and goods and other inalienable rights of Indigenous Peoples in accordance with the highest international standards;
28. Taking into account the principle of the progressivity of human rights and considering the evolving nature of norms in the international regime on Indigenous Peoples, we deem it necessary to initiate an exercise of analysis for the drafting of a new international legal binding instrument that strengthens the principles and norms of the United Nations Declaration on the Rights of Indigenous Peoples and allows for its full and effective implementation;
29. To achieve the above-mentioned aims, we propose the formation of a Committee of Indigenous Peoples, based on the participants of this Seminar, to follow-up on the agreements and recommendations; and that other States that are friendly to Indigenous Peoples join this initiative.
30. We express our appreciation to the President of Mexico, Andrés Manuel López Obrador, for presenting to the Congress of Mexico the Constitutional Reform initiative on the rights of Indigenous and Afro-Mexican peoples, as a necessary step towards achieving the full and effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples, in the context of the Mexican legal system. In this framework, we call on the Mexican Congress to approve this Constitutional Reform initiative in compliance with the principles and norms of the

United Nations Declaration on the Rights of Indigenous Peoples in order to do justice to the Indigenous Peoples of Mexico.

With deep respect and gratitude, signed by:

Representatives of Indigenous Peoples of Latin America, who were an active part in the drafting of the United Nations Declaration on the Rights of Indigenous Peoples:

- Darío José Mejía Montalvo, Zenu People, Colombia, Chairperson of the United Nations Permanent Forum on Indigenous Issues.
- Sobeida Quilindo Panche, Nasa Caldono Community, Cauca, Colombia.
- María Eugenia Choque Quispe, Aymara People, Bolivia.
- Juan León Alvarado, Maya K'iche' people, Guatemala.
- Carlos Bernabé Chex Mux, Kaqchikel Mayan People, Guatemala.
- José Carlos Morales Morales, Brunca Village, Costa Rica.
- Eduardo Alfredo Nieva, Amaicha del Valle, Diaguita Community, Argentina.
- Sandra Miriam del Carmen Ceballos, Kolla People of Jujuy, Argentina.
- Raúl Clemente Ilaquiche Licta, Kichwa people, Ecuador.
- Elisa del Carmen Loncon Antilleo, Mapuche People, Chile.
- Aucán Huilcaman Paillama, Mapuche people, Chile.
- Marcial Arias García, Guna People, Panama.
- Manigdidili Ildeira Jaén Granados, Guna Village, Panama.
- Saúl Vicente Vázquez, Zapotec people of Mexico.

Representatives of the National Council of Indigenous Peoples of Mexico

- Yaneth del Rosario Cruz Gómez, Tojolabal People and General Coordinator of the National Council of Indigenous Peoples of Mexico.
- José de Gaona Zapeta, Totonac People and Counselor General Rapporteur of the National Council of Indigenous Peoples.
- Gabriela Andreína Molina Moreno, Seri People, Indigenous Councillor
- Hermenegildo Francisco Pérez Martínez, Zapotec People, Coordinating Counselor of Working Group on "Indigenous Peoples and Communities as Subjects of Public Law".
- Bertha Rodríguez Rodríguez, Totonac People, Counsellor Rapporteur of Working Group on "Indigenous Peoples and Communities as Subjects of Public Law".
- Rosa María Hernández Fitta, Afro-Mexican, Coordinating Counselor of Working Group on "Rights of Afro-Mexican Peoples and Communities".
- Xóchitl López Santiago, Zapotec People, Coordinating Counselor of Working Group on "Indigenous and Afro-Mexican Women".
- María Alejandra Velázquez Velázquez, Ayapaneco People, Coordinating Counselor of Working Group on "Childhood, Adolescence and Indigenous and Afro-Mexican Youth".
- María Verónica Martínez Ledezma, Otomí People, Counsellor Rapporteur of Working Group on "Resident Indigenous Communities and Indigenous Migration".
- Guillermina Maya Rendón, Nahuatl People, Coordinating Counsellor of Working Group on "Self-determination, autonomy and indigenous normative systems".

- Miguel Ángel Puc Cante, Mayan People, Counsellor-Rapporteur of Working Group on "Self-determination, autonomy and indigenous normative systems".
- Guillermo Rosendo Martínez, Amuzgo People, Coordinating Counsellor of Working Group on "Participation and Political Representation of Indigenous Peoples, Consultation and Free, Prior and Informed Consent".
- Virginia Flores Flores, Southern Tepehuano People, Counselor Rapporteur of Working Group on "Participation and Political Representation of Indigenous Peoples, Consultation and Free, Prior and Informed Consent".
- Romelia Pérez Gómez, Tseltal People, Coordinating Counsellor of Working Group on "Lands, territories and natural resources, environment and climate change".
- José de Jesús Dionisio Marcial, Otomí People, Rapporteur Counsellor of Working Group on "Lands, territories and natural resources, environment and climate change".
- Angelica Arellano Barragán, Mixtec People, Coordinating Counsellor of Working Group on "Community, Indigenous and Intercultural Education".
- Antonio García Pérez, Ch'ol People, Counsellor Rapporteur of Working Group on "Community, Indigenous and Intercultural Education".
- María Cristina Prisciliano Díaz, Oluteco People, Counsellor Rapporteur of Working Group on "Health and Traditional Medicine".
- María Lourdes Jiménez Liera, Mixtec People, Coordinating Counsellor of Working Group on "Health and Traditional Medicine".
- Jesús Choncona García, Nahuatl People, Counsellor Rapporteur of Working Group on "Integral Development and Indigenous Infrastructure".
- Jesús Miguel Gómez López, Tseltal People, Coordinating Counsellor of Working Group on "Integral Development and Indigenous Infrastructure".
- Doraly Velasco León, Rapporteur of Working Group on "Indigenous Economy and Food Sovereignty".
- Isabel Bastida Francisca, Otomi People, Coordinating Counsellor of Working Group on "Indigenous Economy and Food Sovereignty".

Indigenous Representatives of the Community of San Juan Bautista Coixtlahuaca, Oaxaca

- Alfonso Hernández Jiménez, Municipal President of Santa Magdalena Jicotlán.
- Antonio Ángel Pérez, Municipal Trustee of San Antonio Acutla and Secretary of the Traditional Government Council of the Chocholtco Ngigua-Ngiba People.
- Bernardo Serra Santiago, President of the Regional Community Cultural Committee.
- Daniel López Bazán, Reconstitution Coordinator.
- Gema Lizeth López Bazán, Project Treasurer.
- Horacio Miguel Cruz, Municipal President of San Juan Bautista Coixtlahuaca, Oaxaca and President of the Council of the Traditional Government of the Chocholteco Ngigua – Ngiba People.
- Ithayetzi Cruz Ojeda, Councillor for Education of San Juan Bautista Coixtlahuaca.
- Jaime Mendoza Martínez, President of Tepelmeme Villa de Morelos and Treasurer of the Traditional Government Council of the Chocholteco People Ngigua-Ngiba.
- Javier Andrés Santiago, Promoter of the Chocholteca community radio.
- Mará de Jesús Márquez López, Project Manager.

- Maximino Pérez Maldonado, Treasurer of the Regional Community Cultural Committee.
- Rafael Juárez Lara, Member of the Regional Community Cultural Committee.

Indigenous Representatives (Special Guests)

- Pascual de Jesús González, Triqui People, in Mexico City.
- Juan Carlos Reyes Gómez, Head of the ULIM. Ayuuk people, Oaxaca, Mexico.
- Víctor Leonel Juan Martínez, Zapotec People, Research Professor at the Center for Research and Higher Studies in Social Anthropology (CIESAS).
- Luis Enrique Cordero Aguilar, Afro-Mixtec People, Member of the Indigenous Court of Justice of the State of Oaxaca.
- Cándido Basilio Cruz, Zapotec people, youth delegate to the 28th Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC).
- Leonel Andrés Vásquez Solano, Zapotec people, youth delegate to the United Nations General Assembly.

Indigenous Representatives of Latin American Governments

- Luis Alberto Penchuleo Morales, Director of the National Corporation for Indigenous Development, Mapuche People, Chile.
- Dulce María Vásquez Cajas de Mazariegos, Presidential Commissioner against Discrimination and Racism against Indigenous Peoples, Maya K'iche' People, Guatemala.
- Ismael Assur Jaén Stell, Deputy Minister of Indigenous Affairs, Bisira Community, Ngäbe Bugle Region, Panama.
- Clara Josefina Vidal Ventresca, Minister for Indigenous Peoples, Kariña People, Venezuela.
- Adelfo Regino Montes, Director General of the National Institute of Indigenous Peoples, Ayuuk People, Oaxaca, Mexico.
- Claudia Olivia Morales Reza, President of the National Commission to Prevent Discrimination (CONAPRED), Wixárika People, Jalisco, Mexico.
- Marcos Matías Alonso, Director of International Affairs, National Institute of Indigenous Peoples, Nahua People, Guerrero, Mexico.
- María Rosa Guzmán Valdez, Area Director of the Commission for Dialogue with Indigenous Peoples in Mexico, Wixárika People, Jalisco, Mexico