

Agreement Regarding the Documents: “Joint Declaration that the Federal Government and the EZLN shall submit to National Debating and Decision-Making Bodies”; “Joint Proposals that the Federal Government and the EZLN agree to submit to National Debating and Decision-Making Bodies, in respect of Point 1.4 of the Rules of Procedure”; and “Commitment for Chiapas made by the State and Federal Governments and the EZLN, in respect of Point 1.3 of the Rules of Procedure”,

stemming from the first part of the Resolutive Plenary Meeting on the topic of Indigenous Rights and Culture:

A. The Federal Government, through its delegation, expresses its acceptance of said documents.

B. The EZLN, through its delegation, expresses its acceptance of said documents. In regard to the issues on which it formulated, at the session on February 14, 1996 of this second part of the Resolutive Plenary Meeting, proposals for additions and substitutions or eliminations in the text of same, in accordance with the results of the consultations carried out by the EZLN, it expresses the following:

1. The delegation of the EZLN insists in pointing out the lack of solution to the grave national agrarian problem, and the need to amend Article 27 of the Constitution, which should reflect the spirit of Emiliano Zapata, summarized in two basic demands: the land belongs to those who work it, and Land and Freedom. (Document 2 “Joint proposals that the Federal Government and the EZLN agree to submit to national debating and decision-making bodies, in respect of point 1.4 of the Rules of Procedure”, page 11, paragraph 5, “Constitutional and Legal Amendments”, subparagraph B.)

2. With regard to sustainable development, the delegation of the EZLN considers it insufficient for the government to compensate indigenous peoples for damage caused on their lands and territories, once the damage has been caused. There is a need to develop a policy of true sustainability that preserves the lands, territories and natural resources of indigenous peoples, in short, that takes into account the social costs of development projects. (Document 1 “Joint declaration that the Federal Government and the EZLN shall submit to national debating and decision-making bodies”, page 3, in the subtitle “Principles of the new relationship” subparagraph 2.)

3. In regard to the topic Situation, Rights and Culture of Indigenous Women, the delegation of the EZLN considers the present points of agreement insufficient. Owing to the triple oppression suffered by indigenous women, as women, as indigenous persons and as poor persons, they demand the building of a new national society, with another economic, political, social and cultural model that includes all Mexicans, both women and men. (Document 3.2 “Actions and

measures for Chiapas. Commitments and joint proposals of the State and Federal Governments and the EZLN”, page 9.)

4. In general terms the delegation of the EZLN considers it necessary that, in each case, the times and terms in which the agreements should be put into practice be specified and that, to that end, the indigenous peoples and the pertinent authorities should program and schedule their implementation by mutual accord.

5. With regard to guarantees of full access to justice, the delegation of the EZLN considers that the need to appoint interpreters in all trials and lawsuits involving indigenous persons should not be ignored, ensuring that said interpreters are expressly accepted by the accused and that they know the language and are familiar with the indigenous culture and legal system. (Document 2 “Joint proposals that the Federal Government and the EZLN agree to submit to national debating and decision-making bodies, in respect of point 1.4 of the Rules of Procedure”, page 6, subtitle “Guarantees of full access to justice”.)

6. The delegation of the EZLN considers it essential that legislation be passed to protect the rights of migrants, both indigenous and non-indigenous, within and outside national borders. (Document 1 “Joint declaration that the Federal Government and the EZLN shall submit to national debating and decision-making bodies”, page 5, point 8, subtitle “Protecting indigenous migrants”.)

7. In order to strengthen the municipalities, the delegation of the EZLN considers that explicit commitments by the government are required to guarantee their access to adequate infrastructure, training and economic resources. (Document 2 “Joint proposals that the Federal Government and the EZLN agree to submit to national debating and decision-making bodies, in respect of point 1.4 of the Rules of Procedure”, page 3.)

8. With regard to the communications media, the delegation of the EZLN considers it necessary that access be guaranteed to reliable, timely and sufficient information on the government's activities, as well as access by indigenous peoples to existing communications media, and that the right of indigenous peoples to have their own communications media (radio broadcasting, television, telephone, press, fax, communication radios, computers and satellite access) be guaranteed. (Document 2 “Joint proposals that the Federal Government and the EZLN agree to submit to national debating and decision-making bodies, in respect of point 1.4 of the Rules of Procedure”, page 9, point 8 “Communications media”.)

C. In regard to the parts of the documents to which subparagraph B refers, both delegations agree that, at the time that they identify by common accord during the dialogue, they shall exhaust negotiation efforts on same.

D. The parties shall submit to national debating and decision-making bodies and to other pertinent bodies the three accompanying documents, which contain the agreements and commitments reached by the parties.

E. Both parties assume the commitment to submit the present resolution to national debating and decision-making bodies and to the pertinent bodies of the state of Chiapas, in the understanding that the points indicated in subparagraph B should also be considered by said bodies as material resulting from the dialogue.

The present document and three documents that accompany it have been duly legalized as agreements under the terms of the Rules of Procedure and of the Law for Dialogue, Conciliation and Dignified Peace in Chiapas, and are incorporated as such into the Agreement for Concord and Pacification with Justice and Dignity.

February 16, 1996.