

TERMS OF REFERENCE FOR THE FILAC 2023-2026 TECHNICAL SECRETARY

VERSION APPROVED BY THE XVI GENERAL ASSEMBLY

I) BACKGROUND

On the occasion of the Second Summit of Ibero-American Heads of State and Governments held in Madrid, Spain on July 23 and 24, 1992, the Agreement establishing the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean (FILAC) was signed recalling the terms of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights; and considering the international rules stated in the International Labor Organization Convention 169 on Indigenous and Tribal Peoples, as adopted by the International Labor Conference in 1989.

This international legal framework is now accompanied by new instruments such as the 2007 UN Declaration on the Rights of Indigenous Peoples, other international instruments and the final document adopted by the World Conference on Indigenous Peoples held in September 2014 at the United Nations, and accepted by the relevant States.

After 30 years of operations, and under the mandate of the XII General Assembly of the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean (FILAC) held in Bogota in July 2012, substantial progress has been made in the organization's re-engineering process to strengthen their institutional capacity and to advance their impact, as well as to ensure their response to the indigenous peoples' agendas. All of this would ensure the conditions for their functioning and the accomplishment of their role as a facilitator of dialogue and construction of consensus amongst the indigenous development actors. Such progress has been approved by the XIII General Assembly, including the organization chart, which would guide the FILAC new organization design.

FILAC is governed by the General Assembly as their highest authority, made up of representatives of governments and Indigenous Peoples of the Member States. With the Assembly at rest, the authority is taken by the Board of Directors, which in turn is represented by the Executive Committee, who exerts the highest organization's political and strategic authority.

FILAC operational arm is the Technical Secretariat, responsible for fulfilling the mandates of the above-mentioned governing bodies, in consultations and coordination with the Executive Committee. It is led by a Technical Secretary.

In the framework of the FILAC Re-engineering, the Terms of Reference for the Technical Secretary have been approved in place of previous versions adopted in other contexts currently overcome. Such terms of reference have been adapted and updated by the FILAC

XVI Extraordinary General Assembly held in Madrid, Spain, to comply with the institutional objectives.

II) GENERAL OBJECTIVE OF THE TECHNICAL SECRETARY'S WORK

To lead the administrative and operational tasks of the Fund for the Development of the Indigenous Peoples – FILAC in accordance with the powers and duties as set forth in Article 27 of the Regulations for the Board of Directors and the Technical Secretariat, in the framework of the institutional plans and policies approved by the General Assembly.

III) SPECIFIC OBJECTIVES

- (i) To manage the upholding and control of the technical and administrative structure;
- (ii) To consolidate the organization's institutionality and financing.
- (iii) To consolidate the fulfillment of the approved institutional plans and policies.

IV) FUNCTIONS

Regarding the Board of Directors

1. The Technical Secretariat shall operate under the Technical Secretary appointed by the Board of Directors.
2. The Technical Secretary shall submit to the Board of Directors a report before every meeting held by the Board of Directors and the General Assembly, and permanently to the Executive Committee showing the work done, which shall constitute the input for the assessment process to be carried out by the Board of Directors.
3. To request the approval of the Board of Directors for any transfers, payments and money orders for amounts exceeding US\$20,000.
4. To prepare for and suggest to the Board of Directors the Operating Planning and the annual budget of the Technical Secretariat, incorporating the strategy defined by the Board of Directors.
5. To implement the strategy defined by the Board of Directors in the annual operations process of the Technical Secretariat and FILAC.
6. To prepare and suggest to the Board of Directors an annual Work Plan and Budget.
7. To execute the Work Plan and Budget as approved by the Board of Directors. It is understood that the Technical Secretariat has the necessary powers to fulfill this task strictly under the instructions and guidelines of the FILAC sovereign organizations, in other words, the Board of Directors.
8. To report every month to the Executive Committee about the budget management; every six months to the Board of Directors; and every two years to the General

Assembly about the administration results and the effectiveness of the strategies taken.

9. To comply with the internal control regulations.

Regarding the meetings of the Board of Directors and Assemblies

10. To act as a Secretary during the meetings of the FILAC Board of Directors and the Executive Committee.
11. To prepare a provisional agenda for the Board of Directors meetings, in consultations with the Presidency or the work commissions thereof to be formed, as the case may be.
12. To call every member of the Board of Directors at least thirty days in advance.
13. To provide assistance to the Board of Directors, to its Presidency, or to the work commissions to be formed, as necessary and as the case may be.
14. To prepare and hand out thirty days in advance the documents related to the work of the General Assembly and the Board of Directors, respectively.
15. To provide consistent and appropriate secretarial services to the members of the Board of Directors.
16. To hand out thirty days in advance any documents, reports or decisions, together with their translated versions to the FILAC official languages.
17. To submit to the Board of Directors and the General Assembly any reports about the financial, economic and accounting situation.
18. To submit a verbal or written statement about any issue that the Board of Directors consider as necessary to be examined.
19. To fulfill any and all mandates and responsibilities given by the Board of Directors.
20. To fulfill all other assignments of the Technical Secretariat as specified by the Board of Directors.

Regarding the management systems

21. With the previous knowledge and approval of the Board of Directors, to identify, select and hire the FILAC specialists, consultants and administrative and technical staff pursuant to the institution's needs and Annual Operational Plan. The selection procedures and performance evaluation systems shall be defined by the Board of Directors.
22. To lead, implement, control and assess the application of the planning, technical, administrative, financial, and management systems developed during the re-engineering process.
23. To lead, control and assess the operating units.
24. To follow up and assess the appropriate execution of any agreements entered into as established.

25. To submit any necessary documents required under audit procedures.

Regarding the general procedures

26. To lead and coordinate the monthly follow-up and assessment of the work plans of every Operating Unit and the annual assessment of the Technical Secretariat officers.
27. To develop operational instruments, regulations and other management elements as required during the work of the FILAC Technical Secretariat and submit them to the consideration of the board of directors.

Regarding the international coordination

28. To suggest to the Presidency of the FILAC Board of Directors the signature of any agreements and other instruments.
29. To propose to the Board of Directors any agreements as necessary with the FILAC member countries, other governments, international organizations, indigenous organizations and other individuals and institutions related to the functioning of the institution and to the execution of the Annual Operating Plan.
30. To provide support, in coordination with the FILAC Presidency, in order to define with the Member States how they would contribute to the organization.
31. To publicize the calls of the emblematic FILAC programs in order to increase the participation of the member countries in such programs.

V) PROFILE OF THE CANDIDATE TO THE POSITION OF TECHNICAL SECRETARY

These Terms of Reference are based on the “Profile of the candidate to the position of Technical Secretary” approved by the XII General Assembly and incorporate the amendments made by the Board of Directors and the XIII FILAC General Assembly, as well as the adaptations established in the XVI Extraordinary General Assembly.

The applicants shall have the following qualifications and/or skills:

The Technical Secretary will be a highly qualified professional in terms of education, experience and/or knowledge, own knowledges and processes; prioritizing interculturality and gender equality criteria, and will not admit any type of discrimination based on disability, beliefs or religion, sexual orientation or gender identity reasons.

1. Studies and degrees

Completed university studies (bachelor's degree) in fields related to human development. A complete Master's degree in related areas is desirable.

2. Experience:

At least ten years of professional work including: management positions, technical and/or administrative management of programs and projects, planning, research, consulting,

proven resource management and administration, institutional representation and public relations. Preferably, all of that would be related to development, indigenous affairs and public policies.

3. Special knowledge about the sector:

A reasonable degree of knowledge of the contemporary dynamics of the indigenous movements, legislation and public and international policies on the sector, as well as a broad and proven knowledge of the situation of indigenous peoples and organizations, government entities and cooperation agencies connected to these peoples.

4. Technical and managerial abilities

Proven experience and ability for the planning, administration, technical and financial management related to the Indigenous Peoples' vision, and to manage and administer financial, technical, material and human institutional resources.

5. Personal requirements

- a) Availability to work full time and with exclusive dedication;
- b) Permanent residence in the city of La Paz, Plurinational State of Bolivia, which is the legal headquarters of the Technical Secretariat;
- c) Availability to travel on mission with relative frequency within and outside the region;
- d) Skills to produce official documents and to prepare and submit reports.
- e) Experience in knowledge generation is desirable.
- f) Leadership
- g) An impeccable public image – a good reputation
- h) Knowledge of English, and an indigenous language is desirable
- i) To be proficient in Information and Communication Technologies.

6. Specific considerations

- a) Preferably, to be indigenous (not exclusive).
- b) To have the nationality of a FILAC Member State.
- c) To be familiar with the region's Indigenous Peoples issues.
- d) To have proven skills in facilitating dialogue processes, conflict management and concertation.
- e) To have an intercultural management ability.
- f) To not be involved in any conflict of interest.
- g) To have no criminal records.
- h) To not have a labor relation with FILAC. Those officers interested in qualifying must suspend their positions for the duration of this selection process.
- i) To not be a member of any FILAC governing body. Those delegates or directors interested in qualifying must suspend their positions for the duration of this selection process.
- j) To not have any family ties up to the second degree with officers of the Technical Secretariat or members of the Board of Directors.

7. Duration of the consultancy

The person selected for the position of Technical Secretary will be hired for three years, with a three-month probationary period, as set forth in Article 30 of the Regulations for the Board of Directors and the Technical Secretariat.

8. Applications

- a) The applications shall be submitted in the CV format duly supported by the relevant certifications from the competent authority.
- b) The applications shall be made and received in a personal capacity. There are no applications by countries, organizations or otherwise.
- c) Any communication involving an application or presentation of a candidate by any institution or organization shall be considered only as a letter of recommendation and/or as a document that proves the applicant's qualifications and experience.