

## CAPAJ

Juridical Commission for the Self-Development of Indigenous Andean Peoples

*NGO with Special Consultative Status to the Economic and Social Council of ECOSOC*

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Second Session of the Permanent Forum on  
Indigenous Issues, United Nations  
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Agenda Item: Children and Youth

Mr. Chairman:

First, allow me to congratulate you on your re-election as chairman of the Permanent Forum on Indigenous Issues of the United Nations and also to express my gratitude to the Voluntary Contribution Fund of the United Nations for making it possible for me to be present at this Second Session of the Permanent Forum, whose central theme is children and youth. Our organization believes that in order to overcome the general state of ignorance about the rights of Indigenous children and youth in the legislation of those countries where Indigenous peoples live, the Permanent Forum should ask ECOSOC to recommend to the States that the judicial and educational systems of those countries which have been built upon Indigenous societies, give juridical value to the institutions of Indigenous family law in order to ensure the healthy physical and mental development of Indigenous children and youth.

At the present time, internal family law in Peru, Chile, Ecuador, Bolivia, and Argentina does not grant legal status to the institutions of Aymara Quecha laws that govern relations between children and youth on the one hand and the family and society on the other. This situation is causing a gradual breakdown of the Indigenous family structure to the detriment of children's right to develop in accordance with the values of their own people.

Family law among the Aymara Qechua has four basic institutions:

**Iska Guagua** refers to children from birth through age six;  
**Imwill-Lloqalla**, refers to children from age 6 through age 14;  
**Wayna-Tawaku**, refers to youths from age 15 through age 20;  
**Chacha-Warmy**, refers to people from age 21 through age 40.

Each of these stages in the evolution of Aymara Qechua children and youth has its own rights and obligations.

**Iska Guagua** is the fruit of marriage (the family base) and must be directly cared for by the mother and father. In the *rutuchi* ceremony, the *iska guagua* is presented to the community, or *ayllu*, and commended to the mountain spirits, or *apus*. Every member of the *ayllu*, or community, makes his or her own contribution to the present and future sustenance of the child and pledges to protect him or her child by cutting off a lock of hair, and placing it on a bed of flowers and grains of quinoa, so the *apus* will admit him or her as a new member.

**Imill-Lloqalla**: From age 6 through age 14, girls are referred to as *imilla*, and boys are referred to as *lloqalla*. Children of this age are protected in the home, where family-related tasks are learned. From their grandparents, they learn about sacred places, the powers of nature, and respect for their elders, as well as for those younger than them.

**Wayna-Tawaku:** From age 15 through age 20, girls are referred to as *tawaku*, and boys are referred to as *wayna*. Both continue to be protected in a communal setting, where they learn tasks related to the collective stewardship of the earth, water, plants and animals. They function as assistants in communal ceremonies.

**Chacha-Warmy:** From age 20 through age 30, young women assume the status of *warmi*, or “integral woman”, and young men assume the status of *chacha*, or “integral man.” Both are considered ready for marriage and having children; they may assume positions of some authority in the community.

From age 30 through age 40, the *chacha-warmy* couple is considered to be in the fullness of life and both are ready to assume higher positions in inter-communal ceremonies, thus passing from *ayllu*, or the communal domain, to *marka*, or the broader inter-communal domain.

From age 40 onward, individuals who have faithfully carried out their duties in all previous life phases assume the status of *amautas*, or elder-advisor; both *chacha* and *warmy* may become spiritual guides as well.

Thank you, Mr. Chairman.