

SOCIAL CONFLICT & ILO 169

Across the Andes, land- and natural resource-related conflict has been increasing in the past 10 years, with only minor fluctuations from year to year. In the past six years, those conflicts have occurred against a backdrop of discussion, adoption and refinement of International Labour Organization Convention 169 (ILO 169) and *consulta previa* regulations to govern it. While not necessarily related, the long-term trends in conflict and the adoption of *consulta previa* raise important questions. Can *consulta previa* address or contain long pent-up frustrations and conflicts? Or will the rising expectations they bring to communities, if the laws are imperfectly or subjectively implemented, lead to even more conflict? The Charticle here shows the risks of the latter.

2008

PERU
136 LAND CONFLICTS

PERU*
CONFLICT:
June 22

In **Pasco**, 500 community members march against legislative decree 1.015 permitting private investment in rural and native lands in the *sierra* of Peru. Protestors claim that the decree violates their rights under ILO 169. Later, more protests over the law erupt in other places as well, including **Imaza**, **Amazonas** and **Cuzco**, until August 22 when Congress votes to repeal it.

CHILE
48 LAND CONFLICTS

ILO 169
PROGRESS

CHILE
ILO 169:
March 6
ILO 169 is ratified by the Senate.

CHILE
CONFLICT:
January 3

In **Temuicui, Araucanía**, 22-year-old **Matías Catrileo Quezada** is killed in an internal Mapuche conflict over state efforts to purchase land for the company **Forestal Mininco**.



PERU
CONFLICT:
April 9

More than 1,300 Indigenous communities in the **Amazon** launch a wave of protests requesting the repeal of a series of laws affecting natural resource extraction that they believe violate their right of consultation under ILO 169. On June 5, the protests escalate in **Bagua**, leading to the death of 24 police officers and 10 Indigenous protestors.

2009

PERU*
84 LAND CONFLICTS

CHILE
69 LAND CONFLICTS



CHILE
CONFLICT:
December 5

Mapuche organizations in **Temuco, Araucanía**, protest the local government's failure to seek Indigenous participation, in violation of ILO 169, citing "the lack of response despite numerous petitions and requests from each community [Wenteche, Lafkenche and Puhuenche...] to discuss with the local government. [...]"

CHILE
ILO 169:
September 4
Supreme Decree No. 124, issued by the *Ministerio de Planificación* (Planning Ministry), to regulate Article 34 of Law 19.253, which deals with Indigenous consultation and participation (passed in 1993).

CHILE
ILO 169:
September 15
ILO 169 goes into effect in Chile.

LEGEND

PERU 
CHILE 



CHILE
CONFLICT:
December 29

More than 20 masked protestors from the **Temucuicui** community attack the national guard posts protecting the *La Romana* and *Montenegro* farms, over a land dispute with the owner, René Urban.

PERU
CONFLICT:
February 22

Leaders from eight communities in the **Amazon** protest, demanding that the government grant them titles to more than 37 million acres (15 million hectares) of land and more equitable distribution of the revenue generated by natural resource extraction projects on their lands.



2010

PERU
99 LAND CONFLICTS

PERU
CONFLICT:
December 6

Community leaders from **Cuzco** and **Puno** march to Lima to demand that their right to be consulted be included in the *consulta previa* law under discussion in Congress.



CHILE
20 LAND CONFLICTS

2011

PERU
118 LAND CONFLICTS



CHILE
74 LAND CONFLICTS

CHILE
CONFLICT:
May 9

Massive, multi-city protests take place denouncing the approval of the environmental evaluation of the **HidroAysén** hydroelectric project in **Coyhaique** in the Aysén region. More than 130 protestors are detained in Santiago, Valparaiso, Valdivia, and Temuco.

ILO 169
PROGRESS

PERU
ILO 169:
April 12
 Indigenous organizations and *campesinos* give the government 60 days to approve the *consulta previa* law, which was signed by Peru 18 years prior but never implemented.

PERU
ILO 169:
June 5
 Beatriz Merino, *La Defensoría del Pueblo* (ombudsman), recommends the urgent enactment of the *consulta previa* law.

PERU
ILO 169:
July 6
 In Lima, the congressional *Comisión de Pueblos Andinos, Amazónicos y Afroperuanos, Ambiente y Ecología* unanimously insist on the signing of the *consulta previa* law.

PERU
ILO 169:
July 13
 In Lima, Congress agrees on terms of the *consulta previa* law, with the stipulation that Indigenous groups do not have the right to veto a project.

PERU
ILO 169:
August 19
 The vote on the *consulta previa* law is postponed in Lima.

PERU
ILO 169:
October 12
 Congresswoman Elizabeth León of the *Comisión de Pueblos Andinos* demands quick passage of the *consulta previa* law.

PERU
ILO 169:
August 23
 Congress approves the *consulta previa* law.
PERU
ILO 169:
September 6
Consulta previa is signed into law by President Ollanta Humala.

Source for conflicts: *Cronologías del conflicto social* compiled by el Observatorio Social de América Latina (OSAL), part of the Consejo Latinoamericano de Ciencias Sociales (Latin American Council of Social Sciences—CLACSO); <http://www.clacso.org.ar/institucional/1h.php> (Last accessed March 25, 2014).

Media and reports used by OSAL vary by year.

*Peru is missing database entries for December 2008 and October–December 2009.

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