Making Development Indigenous in Latin America:
International norms, governmental policies and indigenous communities in southern Chile

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Introduction
Globalization is a multi-dimensional and uneven process that continuously is incorporating new territories into the global economy, society and politics. Global norms and ideas are increasingly seen as central to the uniforming nature of globalization, where most studies analyze how these norms influence and structure the behavior of different national actors. Since the 1950s, "development" has been a controversial yet influential norm that is strongly promoted by international organizations and presently structures economic, political and social relations in virtually every country.

Although the idea of development has been debated and transformed in the last 50 years, it remains as the principal orientation, especially for Latin American countries. Still, most indigenous peoples in Latin America associate development with environmental degradation, loss of territorial autonomy, and poverty. Some, like the Mapuche in Chile, do not even have a word in their language that means development. Consequently, as indigenous peoples are increasingly incorporated into global governance structures that promote development, the idea of development has been adapted and appropriated by indigenous peoples although it continues to remain controversial.

Since the transnational movement successfully lobbied the United Nations to establish the Working Group on Indigenous Populations (WGIP) with representatives from many indigenous peoples in 1983. The WGIP was replaced by the United Nations Permanent Forum on Indigenous Issues (UNPFII), which has emerged as an important forum that seeks to articulate indigenous histories of economic, political, ecological, and cultural oppression, voice dissatisfaction with current liberal human rights regimes and places the indigenous right to self-determination in opposition to national models of economic development. In contrast to more state-centered international organizations, this Forum has worked principally through input from non-state cultures, developing new norms to orient State action.

Since 2010, the UNPFII seeks to encourage national states to promote “Development with Culture and Identity”, a norm constructed with input from indigenous peoples but that must be implemented by national governments with United Nations supervision. Working within the norm diffusion model, the present paper will analyze the norm “Development for Indigenous Peoples” existing at the UNPFII level and its incorporation for the period 2008-2013, considering its
interaction with the Chilean political context. This period corresponds to two governments: the center-left Concertation (2008-2010) and the center-right Coalition for Change (2010-2014). The principal sources of information will be the Chilean reports to the United Nations’ Universal Periodic Review, International Labor Organization, and the United National Permanent Forum on Indigenous Issues. Although the Chilean State recognizes 9 indigenous peoples, our discussion will focus on the Mapuche whose ancestral lands correspond to southern Chile and Argentina. The paper is organized as follows. The second session briefly describes indigenous resistance to development policies and the third section characterizes the norm diffusion model. The fourth section analyzes the manner that two Chilean governments have addressed indigenous development.

**Indigenous Peoples and Development**

Throughout the planet, indigenous peoples have resisted and many continue to resist the forms that development has taken over the last 50 years: natural resource extraction, the imposition of capitalist production, religious conversion, and even well-meaning “development” programs. Historically, indigenous resistance has been understood as the principal obstacle to the achievement of progress, although indigenous culture is increasingly perceived as the innovative answer to the problems generated by globalization and especially environmental destruction.

With the Universal Declaration of Human Rights and the decolonization processes after World War II, indigenous peoples were increasingly considered to be formal citizens although their indigenous identity was still considered to be pre-modern. Even when there are important differences, the State, private companies, religious, academic and/or development organizations increasingly intervene in indigenous territories as part of a “civilizing” mission that seeks to modernize or develop. According to Hall and Fenelon (2007), from a world systems perspective, the unequal pattern of external intervention in indigenous territory is defined by the need for and availability of natural resources. It is safe to assume that because of this “civilizing” mission, the State tends to promote intervention rather than protect indigenous peoples’ cultural practices, and has even justified the use of violence to facilitate national development processes.

At the same time, Latin American States often idealized ancestral cultures, national policies promoted assimilation and development projects were intentionally designed to promote the adoption of Western ways of life. Consequently, in the 1960s and 1970s, indigenous peoples often accepted that they were peasants in order to obtain government recognition of their territories.

However, in the 1970s and 1980s in Chile and most of Latin America, the implementation of neoliberal economic policies transformed the relationship between indigenous peoples and the State, establishing the relation as an individual person rather than the member of a group (Yashar, 2005). Indigenous persons were no longer considered to be “peasants” and had become individual economic agents. From this perspective, the Chilean government in 1979 facilitated the legal division of communal lands into individual land titles, creating a formal equality with non-indigenous property but further dividing the community at the same time (Bengoa 1999). Additionally, the Chilean government also legally created individual water property titles, which are sold separately from land rights.
As for most indigenous peoples, the principal and orienting demand of the Mapuche is the right to control their lands and environment due to their vital importance for their cultural and physical survival. The introduction of neoliberal policies, and especially fiscal austerity measures and increased needs for natural resources located on indigenous lands, is associated with an increased implementation of State and private development projects in or near indigenous communities. In response to external intervention facilitated by neoliberal policies, indigenous communities have actively and passively resisted, especially when faced with forced displacement (World Dam Commission 2000; Brysk 2000, Hall and Fenelon 2004).

As a result, most indigenous peoples actively questioned the national / global model of economic development that structures and limits social policies and indigenous development. Indigenous resistance to economic development tends to share certain elements, such as emphasis on local community, identity politics, land claims, and rights to a variety of traditional practices, where one of the most important is communal land ownership (Hall and Fenelon 2004: 156). Their forms of resistance are associated with cultural elements that distinguish them from the modern nation-state and capitalist ways of life, especially the instrumentalization of land and nature. Their resistance is often expressed symbolically through cultural and artistic production, especially through poetry and literature.

During this same period, the transnational indigenous movement achieved important international recognition of the distinctiveness of indigenous peoples. Indeed, the United Nations Declaration on the Rights of Indigenous Peoples specifically associates the loss of land to the loss of cultural rights. At the local and international level, indigenous peoples also worked together with human rights and environmental protection movements as a means of resistance. According to Brysk (2000), many non governmental organizations that promote development came to see indigenous peoples as clients.

This collaboration contributed to the growing global recognition, valuing and protection of indigenous practices and the creation of international standards and national legislation that require development programs to mitigate the costs and contribute to an improved quality of life for the affected families and communities. Further, in order to achieve governability and respond to international pressure, governments have introduced new governance structures, incorporating indigenous actors into the design and implementation of public policies. At the same time, the lack of coordination between different public organizations and their limited understanding of indigenous culture have complicated decision-making, especially with respect to development models and projects in indigenous territory.

These greater efforts to harmonize economic development with indigenous peoples generally involve financial compensation, community participation, and mitigation programs. However, these programs tend to principally address environmental and material aspects since cultural impacts cannot be effectively quantified using econometric methods, like contingent valuation, especially because most indigenous peoples do not consider culture to be a commodity that can be bought and sold (Thorsby 2003). Furthermore, participative methods, which are often assumed to sufficiently address the issue, actually result in ineffective mitigation programs (Tilt et al., 2008) because they assume that the people affected have complete information with respect to the expected social and cultural impacts, even when no method exists to measure these scientifically.
Consequently, most development projects do not result in improvements for indigenous communities. In the worse cases, they have disarticulated and destroyed sustainable forms of traditional life, limiting alternative forms of cultural and economic development. Further, even many well-meaning development programs are unclear about the relationship between the proposed development and indigenous identity because dominant theoretical conceptualizations continue to maintain indigeneity as a static, separate culture frozen in pre-colonial history, ignoring the intercultural nature of colonial societies. Understandably, most indigenous peoples have been slow to incorporate demands for development and this has mainly occurred at the international level.

**International norms and Implementation Mechanisms**

In their influential book, Keck and Sikkink analyzed the transnational networks of environmental protection and women rights, highlighting their importance in the creation of shared values or norms. Implicit in this approach, and clearly present within the world society approach, is the idea that these norms derive from “worldwide models constructed and propagated through global cultural and associational processes”, which are principally related with Western practices promoted as universal standards. One of these norms is the right to development.

Present-day indigenous movements participate in the emerging international indigenous rights regime (IRR) developed principally in United Nations forums. In a relatively short time period, the transnational indigenous movement achieved significant changes in the legal language and rights of indigenous peoples/persons at the international level, established the difference between indigenous peoples and ethnic minorities, and institutionalized the most important elements of the indigenous perspective in the International Labor Organization Convention 169 (C-169) and the United Nations Declaration of Rights of Indigenous Peoples (UN-DRIP). To further develop the indigenous position and inform the Economic and Social Council of the United Nations, the United Nations Permanent Forum on Indigenous Issues (UNPFII), the Special Rapporteur on Indigenous Issues, and the Expert Mechanism were created. The Inter-American Court of Human Rights has also played an important role in interpreting how national governments should act to respect indigenous rights, especially with respect to non-indigenous development projects.

Because their implementation at the national level is limited, this emerging international consensus on collective rights for indigenous peoples recognizes that new approaches are needed to ensure the continuing existence, development and wellbeing of indigenous peoples as distinct collectivities. From this perspective, public policies and state measures should reflect the aspirations of the peoples concerned in order to protect, maintain and develop their cultures and identities, customs, traditions and institutions. Still, many argue that implementation of collective human rights should not adversely affect the implementation of individual rights. Indeed, the United Nations favors the incorporation of cultural practices, traditions and values of indigenous peoples when “they are in line with human rights principles” (Barelli 2010).
To a certain extent, international law now recognizes that Indigenous persons participate in at least two cultures. In the ‘national’ political context, they should not be subject to any form of discrimination, should receive equal treatment, and should be able to participate fully in public life even when they do not fully share all national values. At the same time, they also have a right to maintain their distinctive identities, cultures, languages and ways of life, where collective land rights are directly associated with their right to self-determination and to development, which is understood as their right to decide the kind of development that takes place on their lands and territories in accordance with their own priorities and cultures.

According to Finnemore and Sikkink, the establishment of a human rights regime puts into place a structure that enables international organizations to promote the emerging norms, such as indigenous rights. Indeed, once a state becomes a signatory of the C-169 or UN-DRIP, the supervising international organizations require periodic governmental reports on advances in implementation. Further, the Universal Periodic Review (UPR) is a new and unique mechanism of the United Nations which started in April 2008 and consists of the review of the human rights practices (including indigenous rights) of all States in the world, once every four years and a half. Chile was reviewed in 2009 and in January 2014, corresponding to the end of the government of Michelle Bachelet (2006-2010) and Sebastian Piñera (2010-2014), respectively.

Table 1 indicates the principal events/documents in the United Nations and of the Chilean government with respect to indigenous peoples and development for the period 2005 – 2014, although our analysis will concentrate on the period 2008-2014. The comparison of these two periods is interesting because they represent the center-left and center-right, respectively. These documents report on Chilean government actions in the period prior to the report’s presentation, and thus reflect the interpretative framework used to design and explain these policies.

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1 We leave the term national in quotes because it is no longer precise to talk about a single nation.
### Table 1:
**Principal events with respect to Indigenous Peoples and Development for the period 2005 - 2014**

<table>
<thead>
<tr>
<th>Year</th>
<th>United Nations</th>
<th>Chilean Government</th>
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<tbody>
<tr>
<td>2005</td>
<td><strong>4th Session:</strong> <em>Indigenous peoples and MDGs</em> identifies the need to assure that their achievement is for the benefit and not at the cost of IP well-being</td>
<td>Conflicts over the construction of the Ralco Dam on indigenous land. President Lagos justifies its construction based on national energy needs.</td>
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<tr>
<td>2006</td>
<td><strong>May - 5th Session:</strong> <em>The Millennium Development Goals and indigenous peoples: Re-defining the Millennium Development Goals</em></td>
<td>March- Michelle Bachelet assumes as President</td>
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<tr>
<td>2007</td>
<td><strong>May - 6th Session:</strong> <em>Territories, Lands and Natural Resources</em>  &lt;br&gt; September - Declaration on the Rights of Indigenous Peoples adopted by the UN General Assembly</td>
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<tr>
<td>2008</td>
<td><strong>May 7th Session UNPFII:</strong> <em>Climate change, bio-cultural diversity and livelihoods: the stewardship role of indigenous peoples and new challenges</em></td>
<td>May - Chile presents “Re-Conocer: Pacto Social por la Multiculturalidad” (Social Pact for Multiculturality) in the Permanent Forum  &lt;br&gt; September - ILO Convention 169 ratified by Chile</td>
</tr>
<tr>
<td>2009</td>
<td>Universal Periodic Review of Chile  &lt;br&gt; April – Special Relator Anaya visits Chile  &lt;br&gt; July – Agreement between UN organizations and Chile  &lt;br&gt; October – Report on Anaya visit  &lt;br&gt; <strong>May - 8th Session UNPFII – Review</strong></td>
<td>September – Implementation of ILO Convention 169 in Chile</td>
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<tr>
<td>2010</td>
<td><strong>April - 9th Session:</strong> <em>Indigenous peoples: development with culture and identity; articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples</em></td>
<td>March - Sebastian Piñera assumes as President  &lt;br&gt; August - Government announces Plan Araucanía to promote development of a region in southern Chile  &lt;br&gt; September – Government Report to ILO</td>
</tr>
<tr>
<td>2011</td>
<td><strong>May - 10th Session:</strong></td>
<td>August - Establishment of “National Dialogue for Historical Meeting”  &lt;br&gt; Jan – Chilean Response to FP Questionnaire  &lt;br&gt; September – Government Replies to direct questions from ILO</td>
</tr>
<tr>
<td>2012</td>
<td><strong>May - 11th Session:</strong> <em>The Doctrine of Discovery</em></td>
<td>Jan – Chilean Response to FP Questionnaire</td>
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<td>2013</td>
<td><strong>May - 12th Session UNPFII – Review Year</strong></td>
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<tr>
<td>January 2014</td>
<td>Universal Periodic Review of Chile</td>
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<tr>
<td>11 March 2014</td>
<td>Michelle Bachelet assumes as President</td>
<td></td>
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</table>

Source: Author Elaboration
Chileanization of the international norm “Development with Identity”

To understand the Chileanization of development with identity or the indigenous right to development, we will first characterize the position presented in Concept papers and in the Permanent Forum (UNPFII). We assume that this perspective represents an emerging consensus even when we recognize at the same time that this perspective is in constant development as part of the negotiations within the United Nations.

The view from the United Nations and the UNPFII

To characterize the view of United Nations and the United Nations Permanent Forum on Indigenous Issues (UNPFII), we will draw principally on the concept paper on “Development with Culture and Identity” (UNPFII, 2010) prepared by the Secretariat of the United Nations Permanent Forum on Indigenous Issues to further define the contents of Articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples. According to this document, indigenous peoples’ concept of development embraces a holistic approach which includes their aspirations, respect and protection of their diversity and uniqueness. The emphasis is on self-determination because “indigenous peoples want to become agents of their own development and have the foresight to promote a development paradigm that is self-determining, . . . it could be a holistic vision that includes economic growth, sustainable development of the environment and affirmation of the social, economic and cultural rights of indigenous peoples.” (p.2).

More than a definition of development with identity, this concept paper provides a critique of many UN and government efforts to promote development for indigenous peoples. First, they argue for the need to incorporate a human rights-based approach to development in the United Nations Millennium Development Goals (MDGs) which are to be reached by 2015. In short, they indicate that development should be considered to be a process and not only an end result measured in quantitative indicators. Further, the paper argues that governments should also develop (new) indicators that allow us to understand indigenous development, and not only compare indigenous and non-indigenous peoples.

The concept paper also critiques the dominant vision of national development that considers only the economic value of land and nature, often ignoring that these “also form an important basis for indigenous peoples’ social and cultural integrity” (p.4). They specifically question “the incessant pursuit of economic growth without the integration of cultural development, social justice and environmental sustainability” (p. 4). At the same time, they do recognize that development involves “constructive engagement with the private sector” and requires advancing in standard setting processes, suggesting a willingness to adopt INGO supervision of development processes.

Third, this concept paper recognizes that the need for indigenous peoples to participate in national policy dialogues in order to prevent unnecessary and often damaging intervention on indigenous land and human rights and cultural issues should be included in these national development dialogues because the sustainability of indigenous economic strategies is rarely recognized and can be threatened by current economic development models. This position

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2 This name was changed to Permanent Forum on Indigenous Rights in the 12th Session.
implicitly suggests that the objective of these dialogues is to develop a shared vision of development as consisting in the integration of the diverse development models present in a country rather than a separate indigenous development policy. The paper also criticizes that government action often threatens indigenous authority structures and practices, and thus indigenous participation in national politics and dialogues should seek to strengthen indigenous authority structures and practices. At the same time, the paper argues, the State needs to promote the diversity and resilience of indigenous peoples through the increased recognition of collective rights and indigenous control of development processes at the local level.

**Chilean Political Context 1990 - 2013**

In this section, we will characterize the constants in the Chilean Political Context for the period (1990 – 2013) before analyzing the policies and actions reported by for the two governments studied: 2008-2010 of the center-left Concertation and 2010-2014 of the center-right Coalition for Change. To do this, we must first describe the historical context, and especially the orthodox neoliberal policies implemented during the military dictatorship that was democratically defeated by the center-left Concertation in 1989. The Concertation governed from 1990 to 2010 when it was replaced by the center-right Coalition for Change from 2010-2014. For the study period, and indeed since the 1970s, Chile is a middle income Latin American country, the dominant development paradigm continues to neoliberal economic growth although this has been slightly modified by democracy and multicultural policies.

With the end of 17 years of military dictatorship, the Concertation maintained many elements of the authoritarian Neoliberal model. Still, during the 20 years of Concertation governments, the role of the State (always complementary to the market) was incrementally increased in both social and economic policies in order to increasingly include a larger part of the society in the benefits of this economic development (Simon 1999), improving income and living standards for the poorest Chileans while allowing private companies relative freedom to pursue their economic activities.³

Differing from the previous military regime’s emphasis on the market, the proponents of Concertation policies argued that social spending and economic growth are compatible.⁴ Consequently, they increased state funding of social services, especially to the poorest 20%, which includes most people living in indigenous communities. The Chilean government implemented an active policy promoting education and technology use, increasing the society’s participation in a globalized world. Furthermore, the Concertation decreed the indigenous law (19.253) providing additional resources and new institutions especially designed for indigenous populations to promote “development with identity”, whose formal objective is to generate economic and social development while respecting their cultural identity. The political rationality sought to include all

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³ Critics of Chilean neoliberal economic policies (e.g. Tosa 2009) often use the term democratic neoliberalism to highlight the elements of continuity with the dictatorship, although the proponents (e.g. Alejandro Foxley) of Concertation policies do not.

⁴ This position is best captured by Ricardo Lagos’s presidential campaign slogan “Growth with equity” (Crecer con Equidad).
citizens in the process of national economic development based on the promise of greater (economic) opportunities for all; in turn, the citizens had the responsibility to be as productive as possible and to take care of themselves. The vision looked to the future, and to be part of it required leaving previous problems in the past. Although many indigenous organizations decided to accept this position, others refused and new points of resistance emerged, especially although not limited to indigenous territory. These elements remained unchanged even with the change in the governing coalition.

As in many countries, economic growth has been the top priority for the Chilean State since the mid-1970s and has remained a fundamental value for the subsequent democratic governments. In the 1990s, most non-indigenous actors shared the desire to demonstrate that economic development/growth and poverty reduction (greater equity) are compatible with democracy, i.e., to make neoliberalism democratic. The principal change with respect to authoritarian neoliberalism is the argument that good economic management and continued economic growth are prerequisites for continued democratic stability and progressive social policies. Indeed, the Finance Ministry (Ministerio de Hacienda) is considered to be the most influential ministry within the Chilean government.

Consequently, in conflicts between indigenous peoples and private sector companies, such as in the cases of hydroelectric dam construction and forest companies, all governmental coalitions have protected the property rights of the private companies with a strong police presence, arguing that this position is necessary to ensure Chile’s economic development. Further, indigenous rights are often ignored when in conflict with the production of lumber and associated products, which are one of the principal motors of the Chilean economy. Chile, in international economic negotiations, has prioritized the expansion of lumber plantations in order to assure future growth of this sector despite the fact that this expansion takes place in Mapuche ancestral territory. Additionally, the Chilean government continues to finance research to improve the efficiency in this sector. Since Mapuche territorial use is considered “unproductive” and does not significantly contribute to the Gross National Product, the government prefers to ensure the conditions required for this sector rather than protect Mapuche ways of life. In short, within this democratic neoliberal model, the people and companies who are productive have rights; while unproductive people are considered obstacles to development. Several authors (e.g. Patricia Richards, 2012) characterize this combination of targeted social policies (often used to encourage acceptance of government positions among vulnerable populations) limited by the priority of economic growth as neoliberal multiculturalism.

As most Mapuche increasingly perceive that Chilean economic growth has not been beneficial and is incompatible with their way of life and cultural practices (reflecting UNPFII conceptualization), protests and other acts of resistance have increased during this period. Indeed, many persons of indigenous descent do not believe in the government’s promises and even less that the government is well intentioned due to the contrasting image of State presence.

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5 See discussion in Simon and González 2012.
6 Chile’s principal exports are minerals (60%), wood-related products (6%) and fish-related products (5%) (www.bccentral.cl).
7 See for example the research financed for research centers like INFOR (www.infor.cl) as well as different universities, such as the University of Concepcion.
in the “communities in conflict”. The argument that these conflicts are the principal obstacle to national and indigenous development is maintained by all the governments.

In response, the government, together with the private sector involved, has increasingly assigned funds to programs targeted to indigenous populations in order redress previous grievances and to mitigate problems associated with present-day policies. Still, the fact that most governmental actors do not have knowledge nor understanding of Mapuche demands and resistance seems to have increased the mutual distrust, often tending to polarize issues.

Since the emergence of greater (and often violent) resistance to extractive industries in the late 1990s, the media have also played an important role by marginalizing Mapuche voices and creating a negative public opinion towards Mapuche resistance because it clashes with the dominant political rationality prefers incremental over systemic change, values institutional channels over public protests, and considers that conflicts should be addressed through institutional mechanisms (Simon 1999; International Development Bank 2006). Seeking to control violent resistance, the Concertation governments used the Anti-Terrorist Law (Law 18.314 developed during the dictatorship), a practice severely questioned by international and national human rights organizations (e.g., Human Rights Watch, 2004).

At the same time, international financial institutions consider Chile to be a model in Latin America for how to achieve sustained economic growth in a democratic context, and Chile presents itself as a country with the political and economic stability required for direct foreign investment. Indeed, the Chilean government argues that Chile can continue to grow while also protecting the environment and human rights. Similar changes in the international private sector have also encouraged many of the transnational and national companies operating in Chile to incorporate corporate social responsibility into their strategic planning, creating new centers that promote the dominant political rationality (Carrasco 2012).

All the democratic governments confirm their “seriousness with which they assume international commitments”. The Millennium Development Goals (MDGs) are another mechanism used by the United Nations to promote development. They form part of the Chilean development strategy and Chile is proud of achieving the best results in Latin America. In the more recent measurements, Chile can differentiate between indigenous and non-indigenous populations for 23 of the 49 indicators, visibilizing important differences between the two populations even when the indicators have shown continuous improvement over time.

In the following two sections, we will characterize the principal differences between the center-left and center-right governments with respect to the UNPFII view on indigenous development.

Indigenous Peoples and Development 2008 - 2010

The Chilean government did not present reports to the UNPFII during the period studied, although they did present interventions in 2009. In 2009, the Chilean government presented in the Universal Periodic Exam (UPE). In general, the reports tend to be vague and indicate few changes to government policies described in the previous section.

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8 For an excellent discussion of the history of the conflicts see Bengoa (1999).
In the 2009 UPE, the Chilean government indicates that their development model that seeks to combine economic growth and social equity has brought higher standards of living with little differentiation for ethnic, gender or other categories. Further, the report indicates that social policy has been transformed into a development tool that is synchronized with national macroeconomic priorities and that is highly sensitive to the specific realities facing various groups who do not have sufficient opportunities to enjoy the fruits of economic growth or sufficient autonomy to be able to satisfy their needs in ordinary markets. This vision clearly contrasts with the UNPFII understanding of development with identity.

Still, Egaña (2011), the indigenous affairs commissioner in 2008 y 2009, identifies a point of crisis in 2008 that resulted in the development of a new approach: the Social Pact for Multiculturality and the ratification of International Labor Organization Convention 169 (C-169), setting into motion a series of action to begin to develop and define public actions and programs using the UN approach. Prior to this period, Egaña argues that the first Bachelet government thought that the only problem that indigenous peoples faced was poverty, indicating that the Bachelet government came to understand the need to recognize indigenous rights and to change government institutions to better address these issues. In the 2009 UNPFII, the Chilean government’s approach was to “create the economic and social conditions so that all rights can be effectively exercised.” (Alvaro Marifin, 2009).

During this period, there is an attempt to incorporate indigenous issues in each Ministry rather than only through the National Corporation for Development (CONADI). Further, the government recognized that a significant (and previously unaddressed) part of the problem was the relations of non-indigenous Chile with indigenous persons, principally with respect to prejudices and discrimination (Egaña 2011).

Egaña (2011) recognizes three principal indigenous demands: political rights, recovery of ancestral land, and protection with respect to investment projects on indigenous territory. To address this last demand, the Chilean government developed a proposal for a regulatory framework, which was rejected by the private sector. Due to the economic crisis, the government decided to not push the issue.

Indigenous Peoples and Development 2010 – 2014

The following characterization is based on the governmental reports presented from 2010 to 2014. This corresponds to the reports for the 9th and 10th UNPFII Meetings as well as the 2014 the Universal Periodic Exam. The first two correspond to only to indigenous issues and respond to specific questions of the UNPFII, while the last one is an integrated report that refers to human rights. A coherent discourse can be observed in the three reports studied.

According to the 2014 Chilean Report to the UPE, Piñera’s indigenous policy has a holistic approach that does not create dependency and seeks to promote “participation, empowerment and entrepreneurship” (p. 14). The government seeks to assure indigenous peoples have “access to opportunities that allow them to develop while also respecting their rights, traditions, identity and culture” (p.14). The government promotes indigenous development in each administrative region, where there is a relevant indigenous population.
Further, and despite governmental recognition of the special relationship to land present in the Indigenous Law (D.L. 19.253), the report explicitly identifies that their role is to promote the “productive use” of land through technical assistance. At the same time, the Chilean government recognizes that more than 70% of the indigenous population lives in urban areas, and government policy needs to assure their rights, principally through anti-discrimination measures.

The 10th Meeting Report reflects the national government’s perspective in general that constantly confirms the objective to strengthen a “transparent and objective” assignment of resources and benefits (p.2), suggesting a criticism of the prior’s government distribution especially with respect to land purchase for indigenous communities as inefficient. Further, they have also transformed governmental procedures designed to improve attention to indigenous persons and reduce the times required to achieve government benefits. Finally, they have also created new instruments to facilitate private investment on indigenous lands for both productive development and housing.

There is a significant number of mentions of actions to support participation and dialogue processes. These include new governmental resources assigned in national budget for dialogues with indigenous organizations to “rebuild trust and identify important issues” as well as financial support for indigenous participation in UN events, such as the 2014 world conference.

Rather than a desire to pursue the UNPFII vision of indigenous development based in self-determination, the government seeks to resolve all the ‘problems’ faced by indigenous people, understood as poverty, social marginalization, and unproductive economic activities. Further, the Piñera government has promoted indigenous entrepreneurship individually as well as through the support of indigenous business organizations and centers.

Table 2: Comparison of the UNPFII to the Chilean government perspectives on Development and Indigenous Peoples

<table>
<thead>
<tr>
<th>UNPFII</th>
<th>Chile 2008-10 (center-left)</th>
<th>Chile 2010-2014 (center-right)</th>
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<tbody>
<tr>
<td>Elimination / Reduction of discriminatory structures and practices</td>
<td>Discrimination</td>
<td>Investment in infrastructure and access to basic services for rural indigenous communities</td>
</tr>
<tr>
<td>Human Rights based view of Development</td>
<td>Recognizes that the protection of human rights is responsibility of the State and the society. Perceives that C-169 can be an instrument to favor sustainable development. Does not mention legal instruments that have incorporated a human rights view of development.</td>
<td></td>
</tr>
<tr>
<td>Indicators to measure advances in indigenous development</td>
<td>Advances towards the measurement of Millennium Development Goal indicators for indigenous persons, but does not contemplate new indicators for indigenous development</td>
<td></td>
</tr>
<tr>
<td>Respect for the indigenous vision of land and nature</td>
<td>Formally recognized in Chilean Indigenous Law, but not integrated into practice</td>
<td></td>
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<tr>
<td>Participation in national policy dialogues on development</td>
<td>Establishment of consultation processes but it is considered as separate from national development processes. Propose the creation of a “new social pact” with</td>
<td>New governmental resources assigned in national budget for dialogues with indigenous organizations to “rebuild trust and identify important issues” but that separates policy design</td>
</tr>
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### Table

<table>
<thead>
<tr>
<th>Compatibility of national development models with indigenous models</th>
<th>New conceptualizations for public policy developed by Chilean government in collaboration with indigenous representation.</th>
<th>Increased resources dedicated to indigenous issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthening of indigenous authority structures</td>
<td>No indication of traditional authorities—but rather the election of indigenous representatives</td>
<td>Inclusion of traditional indigenous authorities in governmental ceremonies.</td>
</tr>
<tr>
<td>Local control of development processes</td>
<td>Propose to establish territorial management programs for indigenous development areas. Establishment of the Indigenous Coastal Areas.</td>
<td>Collaborative designed and government-run Indigenous Territorial Development programs.</td>
</tr>
<tr>
<td>Free, Prior and Informed Consent / Consultation</td>
<td>Recognition that one of the principal indigenous demands was for protection with respect to investment projects. Weakly contemplated in the Environmental Law and does not specifically refer to indigenous territories.</td>
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</tbody>
</table>

Source: Author elaboration.

### Final Reflections

An important difference is observed between the comments on Chile’s reports to the diverse UN review mechanisms and the position of the UN Permanent Forum on Indigenous Issues. In the comments, the promotion of indigenous self-determination is mainly understood as greater integration into Chilean society: valorization of indigenous contributions to Chile, indigenous participation in national political processes, strengthening of dialogue with indigenous peoples and elimination of discriminatory practices.

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