

# PERU

## Loretans

Activity: 1998-2020

### General notes

- Loreto is a relatively impoverished region in Peru's Amazonian northeast that is though rich in oil. The movement is best described as a regionalist movement composed of Whites and mestizos, who are dominant in the Loreto region (cf. Minahan, 2016: 247). While there are indigenous peoples in Loreto, they make up only a minority of the local population.

### Movement start and end dates

- We found a self-determination claim by an organization called the Patriotic Front. The Patriotic Front's main goal appears to be resistance to a 1998 treaty between Peru and Ecuador that ceded a small share of Loreto's territory to Ecuador. That treaty was signed in the context of the 1995 war between Peru and Ecuador. In 1998, the Patriotic Front organized protests against the treaty; three people were reportedly killed in these protests (Washington Office on Latin America, 2000: 5). However, the Patriotic Front of Loreto also makes claims for Loreto's political and economic autonomy as well as the continuation of a beneficial tax and trade regime (IPS, 2002; Washington Office on Latin America, 2000: 5). We code 1998 as the start date because the above-mentioned protest in 1998 is the earliest evidence of organized activity we came across.
- A 2007 U.S. cable suggests that the Patriotic Front continued to press for autonomy; according to the cable, a leading member "claimed the organization sought above all to press the government to pay attention to local needs" and has two primary goals: i) resisting Ecuadorian territorial designs on Loreto (and a 1998 peace treaty signed with Ecuador) and ii) protecting the special tax breaks given to residents of the department.
- The Patriotic Front continued to be active, with the most recent evidence of separatist mobilization we came across in 2019 (RPP 2019; La Región 2017; Arellano 2015). [start date: 1998; end date: ongoing]

### Dominant claim

- In 1998 the Patriotic Front organized for the first time protests against a treaty between Peru and Ecuador, which was supposed to transfer a small part of Loreto's territory to Ecuador. Since then, the organization also started to demand more autonomy for the Loretans in Peru. According to Minahan (2016: 248), "in 2014–15 some nationalist groups openly supported Loretan reunification and independence", but we found no evidence that a claim beyond autonomy became the movement's overriding claim. [1998-2020: autonomy claim]

### Independence claims

- Although Minahan claims that "in 2014–15 some nationalist groups openly supported Loretan reunification and independence" (2016: 248), no further evidence for this claim could be found, so it is not coded. [no independence claims]

## **Irredentist claims**

NA

## **Claimed territory**

- Loretan claims for autonomy concern the Loreto region in the Amazon basin in northeast Peru. We code this claim based on the Global Administrative Areas database.

## **Sovereignty declarations**

NA

## **Separatist armed conflict**

- The Patriotic Front was involved in bloody protests (see above), but we found no violence above the LVIOLSD threshold. Thus, the entire movement is coded as NVIOLSD. [NVIOLSD]

## **Historical context**

- The Peruvian department of Loreto has historically suffered from territorial, economic and political isolation from the highly centralized Peruvian state. Sporadic wealth surges in the region, combined with the above-mentioned structural conditions, have provoked the emergence of numerous separatist and federalist movements since the late 19<sup>th</sup> century (De Jong, 2012).
- In the 1870s, Loreto experienced a 'rubber boom', brought about by increased demand for rubber from Europe and the United States. Wealth and economic migrants flowed into the region during this period. According to Chirif (2002), the wealth amassed by the Loretan elite, in addition to the region's historical isolation from Peruvian financial and political networks, produced a strong regional identity among Loretans, who viewed their fertile territories as a source for economic self-sufficiency and political autonomy.
- In 1896, increased demands for autonomy resulted in the Loreto Uprising and the declaration of the Federal State of Loreto. The rebellion was suppressed shortly after by government troops (Minahan, 2016: 248).
- Three years later, in 1899, colonel Emilio Viscarra led a second revolt, declaring the sovereignty of the Loretan people and proclaiming himself President of the 'Jungle Nation'. The territory was reincorporated into Peru less than a year later, after Vizcarra was killed by government troops (Chirif, 2002).
- A third revolt took place in 1921, following the decline in rubber prices that for decades had fostered economic growth in the region. Captain Guillermo Cervantes declared himself the political and military leader of Loreto, condemning central government's neglect for the region (Minahan, 2016: 248; Chirif, 2002)
- With the discovery of large oil reserves in Loreto in the 1970s, Loretans demanded to receive a larger share of oil revenues from the government. Even though state forces were quick to repress mobilization and even imprisoned some Loretan political leaders, the central government agreed to invest 10% of oil revenues in the region's development for 10 years. Seeing a lack of political will in the law's implementation within a year of its enactment, mass mobilization in the region led to the emergence of the Loretan Front of Defense in 1978. The movement, which made a series of economic claims, lost momentum in the years that followed, primarily because of the incursion into politics of some of its leaders, and in 1993 ceased its activities (Chirif, 2002). We found no evidence of separatist activity or claims from the Loretan Front of Defense.
- The Loretan Front of Defense reemerged as the Patriotic Front of Loreto in response to the 1998 agreement between Peru and Ecuador, with a separatist agenda that was not present in the

activities of the Loretan Front of Defense. Many Loretans were unhappy with the terms of the settlement, arguing that Ecuador had gained excessive rights to transportation and commerce on the Amazon river, and they feared that Ecuador would take over parts of Loreto and expel Peruvians from their Houses (De Jong, 2012: 78). We do not code the agreement as a restriction in autonomy or cultural rights because the agreement merely sparked fears among the Loretans that Ecuador would take over their territories, a fear strongly tied to the potential loss of the beneficial tax regime enjoyed by Loretans – and for which we found specific details of besides the sources that mention its existence (IPS, 2002; Washington Office on Latin America, 2000: 5). Chirif (2002) claims that while the Patriotic Front is right in demanding more attention from the central government to the needs of the region, their fears and demands relating to the agreement are overstated and based on assumptions that have so far proven untrue.

- No concessions or restrictions were found in the ten years before the first year we cover in the dataset.

### **Concessions and restrictions**

- No concession or restriction could be identified.
- Additional information: In September 2015, the Patriotic Front organized a strike against the government's decision to grant exploitation rights over the largest oil reserve in Peru, Lot 192, to a foreign company. They demanded that the rights to exploit the reserve were granted to Peruvian company PetroPerú, which the movement argued would allow Loreto to continue receiving a fair share of oil revenues (Arellano, 2015). Although the government initially defended the agreement with a Canadian company, Peru's Energy and Mining Commission approved a legislative project to allow Petroperú to exploit the reserve (Swissinfo, 2015). By 2020, the legal situation of the reserve had not been resolved and its oil production was halted.

### **Regional autonomy**

NA

### **De facto independence**

NA

### **Major territorial changes**

NA

### **EPR2SDM**

<i>Movement</i>	Loretans
<i>Scenario</i>	n:1
<i>EPR group(s)</i>	Whites/mestizos
<i>Gwgroupid(s)</i>	13502000

## Power access

- Between 2018 and 2019, Loretan Jorge Meléndez Celis was Minister of Development and Social Inclusion of Peru (La República, 2019). Meléndez Celis is the only evidence we found of a Loretan to have occupied a senior position within the Peruvian executive. There is no evidence that Meléndez Celis utilized his position to advocate for greater autonomy for Loreto, nor that he supported the Patriotic Front of Loreto. We therefore code the group as powerless throughout. [1998-2020: powerless]

## Group size

- According to Minahan (2016: 247), there were between 0.9 and 1.2 mio Loretans in 2015 who lived in Peru's Loreto region and Colombia's Amazonas region. Minahan does not do a country-by-country break-up; however, Peru's Loreto region is much larger (ca. 1 mio) than Colombia's Amazonas region (ca. 80,000). We assume a mid-range estimate of 1 mio. Peru's total population was 31.4 mio in 2015 (Worldometer, 2017). [0.0318]

## Regional concentration

- The movement is best described as a regionalist movement composed of Whites and mestizos, who are dominant in the Loreto region (cf. Minahan, 2016: 2479). While we could not find exact data on self-identified Loretans, the regionalist character of the movement makes it likely that the criteria for regional concentration are met. Furthermore, according to UNICEF (n.d.), indigenous people make up only ca 10% of the Loreto department. [regionally concentrated]

## Kin

- We found evidence for Loretans in Colombia; however, their number appears to be below 100,000 (see under group size). [no kin]

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## **Lowland Indigenous Peoples**

Activity: 1970-2020

### **General notes**

- Lowland indigenous groups live in Peru's extensive Amazonian region, and include Achuar, Aguaruna/Awajún, Asháninka, Huambisa/Wampis, Amuesha, Campa, Piro, Machiguenga and Shipibo, as well as a number of other, smaller groups. A 2016 census determined that 332,000 indigenous people inhabit the Peruvian Amazon (INEI, 2016). Isolated from other sectors of Peruvian society, many of these groups maintain unique traditional semi-nomadic or agricultural cultures, though most Peruvians, indigenous and non-indigenous alike, are Roman Catholic.

### **Movement start and end dates**

- The major grievances of indigenous peoples in the Amazon are territorial autonomy and protection from resource development that damages their local environment and communities (MAR). This political agenda prompted the creation in the 1970s of the first autonomous indigenous organizations. These were established to “defend indigenous territories and resources against the rapid expansion of settlers, cattlemen and lumber and oil companies” (Rénique, 2009), which can be seen as a claim for indigenous land rights. We lack clear information on when the first such organization was formed, but the account in Rénique (2009) suggests it might have been earlier during the 1970s rather than later, so we tentatively code the start date in 1970. In 1979, the Inter-Ethnic Association for the Development of the Peruvian Jungle (AIDSEP) was formed, the first pan-indigenous group among the Lowland Indigenous Peoples (Rénique 2009; MAR). While the government has made a strong effort since the late 1980s to address lowland peoples' desire for bilingual education, government protection of their lands from development has been less successful. News sources indicate that the movement was ongoing as of 2020 (Sierra, 2020; Servindi, 2019; also see Marshall & Gurr 2003). [start date: 1970; end date: ongoing]

### **Dominant claim**

- According to Minorities at Risk, the major claims made by the lowland indigenous peoples are land rights, territorial autonomy, and the protection from resource development that damages their local environment and communities. This is confirmed by Rénique (2009) and Cabitza (2012). [1970-2020: autonomy claim]

### **Independence claims**

NA

### **Irredentist claims**

NA

## **Claimed territory**

- Despite the group's clear political demands, we were unable to find a specific definition of the territory to which the self-determination claims are tied. We therefore flag this territorial claim as ambiguous and code it based on the settlement area of the corresponding "Indigenous peoples of the Amazon" group in GeoEPR.

## **Sovereignty declarations**

- On November 29<sup>th</sup> 2015, one of the indigenous communities of the Amazon – the Wampis – declared the creation of the 'Autonomous Territorial Government of the Wampis Nation' as an autonomous territorial government within the Peruvian state. The declaration was made following the First Encounter of the Wampis Nation in the town of Irutkamu, and announced to the wider public via a press release (Gómez, 2018: 187). In the declaration, the Wampis noted that "we will still be Peruvian citizens", which points to an affirmation of greater autonomy rather than one of outright secession (CEDLA, 2019). However, according to a 2017 census, only 12,000 individuals belong to the Wampis Nation (BDPI, n.d.). We consider this to be a small and unrepresentative portion of the 332,000 indigenous people that live in the Peruvian Amazon, and as such do not code this episode as a sovereignty declaration.

## **Separatist armed conflict**

- A series of demonstrations and roadblocks in 2009 in the Bagua province led to a violent escalation between indigenous protesters and state authorities, leaving 33 people dead (10 protesters and 23 policemen) in an episode known as the Baguazo (Cabitza 2012). Based on this, we code 2009 as LVIOLSD.
- Minority Rights Group International reports a series of violent confrontations between indigenous inhabitants of Apurímac and state authorities over the development of *Las Bambas* copper project, but the number of deaths did not exceed 25 in any year. We found no other indications for separatist violence above the threshold and so code all other years as NVIOLSD. [1970-2008: NVIOLSD; 2009: LVIOLSD; 2010-2020: NVIOLSD]

## **Historical context**

- During the colonial period in the Americas, native Amazonian groups were systematically attacked and their integration to colonial society was largely restricted. As a result, native groups developed a strong tribal identity and have sought to maintain a relative self-isolation from Peruvian society, preserving unique semi-nomadic and agricultural cultures. They were excluded from the debate over indigenous lands in the aftermath of Peru's independence, and their relationship with the state did not develop until the early 1900s, once their lands had been colonized (Minorities at Risk, 2009).
- In the mid 1950s, the Peruvian state designated native groups in the Amazon as 'jungle tribes' and set aside land for them (Minorities at Risk, 2009). In 1968, the government enacted major land reforms that included redistributing land for indigenous people to form their native communities (Cunningham, 2014: 220). Note that the Peruvian Constitutions of 1920, 1933 and 1980 all protected indigenous communal lands, highlighting their inalienability and indivisibility (Minority Rights Group International, n.d.). [1968: autonomy concession]

## **Concessions and restrictions**

- Between 1971 and 2000, the Peruvian government granted a concession to US oil company Occidental Petroleum to operate oil reserve 1-AB in the Peruvian northeast Amazon. During this

period, the company spewed out 9 billion gallons of untreated ‘produced waters’ into the Corrientes river, containing heavy metals such as cadmium, lead and arsenic. The thousands of indigenous Achuar, Kukama, Kichwa and Urarina individuals that lived around the river reported numerous deaths, a surge in diseases and birth defects, and mass displacement as a result of the oil reserve’s exploitation, but their claims were only recognized by the Peruvian government in 2015 (Collyns, 2015; MRGI). We code a restriction in 1971, the year in which oil exploitation in reserve 1-AB began. [1971: autonomy restriction]

- The Law of Native Communities of 1974 recognized indigenous communities and their territorial claims. Legal recognition was given to land of native communities, and new institutions were introduced in these territories, such as Assemblies, periodic elections, and communal properties (Ardito, 1997: 11). [1974: autonomy concession]
- In May 1978, the Law of Native Communities was redrafted, granting a series of additional benefits and recognition of rights to indigenous communities in the Amazon. The new legislation guaranteed the territorial integrity of these communities and provided the legal basis for land rights to be formally granted (Romero Ramón, 2018). However, the law’s implementation has been uneven. Romero Ramón (2018) notes a significant absence of funds and a lack of political will to successfully implement this legislation since its enactment in 1978. The process of gaining land rights, he argues, is costly and overly bureaucratic, which has discouraged most indigenous communities in the Amazon from officially obtaining their land rights. Nevertheless, Rénique (2009) argues that the 1974 law and its review in 1978 “created favourable conditions for political mobilization and organization of Amazonian peoples”. [1978: autonomy concession]
- In 1980, the government advocated for increased settlement in the Amazon region as a means to address economic depression, through the Special Projects Programe. The initiative drew numerous settlers from the Andean region, and promoted agriculture, forestry, gold mining and oil development in the land of many lowland indigenous populations. Even though on paper 8,000 Amuesha and Campa peoples were granted protection of their land from development, the majority of the native groups in the region were forced to move further into the forest, deepening their isolation (MAR). While we do not consider that the Special Projects Programe overtly denied indigenous populations from living in a given territory, the Programe effectively took away land from these native communities and forced many of them to migrate. We therefore code this as an autonomy restriction. [1980: autonomy restriction]
- According to Minorities at Risk, Peru’s education system did not accommodate languages other than Spanish until 1998. However, Ordóñez Ganoza (2014: 44) argues that the Policy of National Intercultural Education and Bilingual and Intercultural Education was enacted in 1991, which recognised the right of indigenous people to receive a bilingual and multicultural education. This claim is ratified by Hornberger (2000: 179). According to Ordóñez Ganoza (2014: 45), implementation has been relatively successful in the initial and primary levels in the region’s public schools, although it is yet to be implemented in secondary education. Peru’s Ministry of Education reported that in 2018, the policy had been successfully implemented in 40% of state schools at the initial and primary levels, noting that more complete implementation was constrained due to the absence of teachers to serve all of the Amazon’s communities and dialects (Ministerio de Educación, 2018: 38). Despite the policy’s uneven and partial execution, we code this as a cultural rights concession, as we consider that the government has taken meaningful steps towards implementation. [1991: cultural rights concession]
- In 1993, the Peruvian Constitution was redrafted. The Constitution no longer recognized the rights of indigenous groups over their claimed territories, nor the inalienability and indivisibility of these territories upheld by the Constitution since 1920 (see above). [1993: autonomy restriction]
- The 1993 constitution did also include a new right for indigenous peoples, however. Specifically, Article 149 of the 1993 Constitution grants indigenous populations the right to exercise their customary legal jurisdiction within their territories, as far as they do not violate fundamental human rights. This article gives indigenous authorities the right to exercise jurisdictional functions within their territories according to their customary norms and procedures (Ardito, 1997: 2). Therefore, we also code a concession in 1993. [1993: autonomy concession]
- The Camisea Gas Project, which began operating in 2004, was developed in a forested region of the Amazon inhabited by the indigenous Nantis, Nahua and Matsigenkas groups, in addition to a



number of uncontacted tribes. Sources report that the building process of the pipelines, alongside the gas leaks that have occurred since its operation started in 2004, has seriously harmed the health and land rights of the indigenous groups in the area (Hill, 2016; Survival International, 2013). The United Nations called for the “immediate suspension” of the project, given the risk of extinction posed by Camisea to the local indigenous people, but the calls were unsuccessful (Survival International, 2013). [2004: autonomy restriction]

- In 2005, the Peruvian government created a multicultural state institution, the Instituto Nacional de Desarrollo de los Pueblos Andinos, Amazónicos y Afro-Peruanos (INDEPA), to represent the interests of Peru’s ethnic and cultural groups within the government. The institution includes a number of lowland indigenous representatives. Yet, according to Minority Rights Group International INDEPA has so far failed to procure any major legislative or constitutional changes. We therefore do not code this as a concession.
- In 2006, President Alan García presented the *Law of the Jungle* to the Peruvian Congress in an attempt to facilitate the implementation of a newly-signed free trade agreement with the United States. The proposed law sought to undermine the collective property regime of Peru’s indigenous groups by conceding ‘uncultivated’ land in indigenous territories to foreign investors, negatively affecting the land rights of native communities (Rénique, 2009). Given that the law was suspended by Congress, in 2009 García used special powers to pass two legislative decrees to implement the free trade agreement. Indigenous communities, under AIDSEP, argued that “the decrees would not only increase the number of oil and logging concessions already granted in the country’s 67 million hectares (165 million acres) of rain forest, but allow for the actual sale of their ancestral territories” (Chauvin, 2009). In response to García’s actions, a series of demonstrations and roadblocks in June 2009 in the Bagua province led to a violent escalation between indigenous protesters and state authorities, leaving 33 people dead in an episode known as the *Baguazo* (Cabitza, 2012). The decrees were repealed by Congress within two weeks of the violent episode, and the protesters lifted the blockade. García’s intentions never came into effect, but the presidential decrees were instrumental in understanding the 2009 outbreak of violence. To reflect the case history, we code the passing of the decrees in 2009 as a restriction and their subsequent withdrawal as a concession. [2009: autonomy restriction] [2009: autonomy concession]
  - o Note: the 2009 concession occurred after the onset of violence in 2009 (and ended it). The restriction before the onset of violence.
- In 2010, the Peruvian Congress passed a law that would give indigenous people more power to stop oil and mining projects on their lands. However, President Alan García refused to sign the law, arguing that he could not let indigenous communities to hold back Peru’s economic growth (Collins, 2010). Note we do not code this as a restriction, since the law’s withdrawal merely fails to increase the autonomy of indigenous groups.
- The Peruvian Congress enacted the Law on the Right of Consultation of Indigenous Peoples in September 2011. This law gives Peru’s indigenous communities the right to be consulted in regard to any activity, plan, administrative or legal measure, or development project that would involve, affect, or take place in their ancestral territories (Cabitza, 2012). Yet, the law does not give indigenous communities concrete powers or veto rights, and IWGIA (2021) argues that the mechanism “does not accept ‘no’ for an answer, nor does it truly include the concept of consent”. We do not code a concession.
- Sources concur that the government of Ollanta Humala – between 2011 and 2016 – systematically violated the territorial rights of lowland indigenous people. Humala’s neoliberal policies caused a surge in extractive activities in the Amazon rainforest, which, tied to his administration’s reluctance to give indigenous people land titles and inadequate prior consultation processes, continuously violated indigenous land rights (IWGIA, n.d.; MRGI; Valdivia, 2022; Llave Humancha, 2020). Humala introduced legislation that allows companies to obtain the agreement of indigenous leaders in extractive projects without giving them clear and detailed information first, and approved a law that enables the government to grant land rights to large-scale projects if it deems that territories are under-utilized (MRGI). Notable examples of extractive development megaprojects that violate indigenous rights are the *Las Bambas* copper project in Apurímac, the infrastructural development in the Madre de Dios department, and the

oil exploitation in the Napo-Tigre indigenous reserve. We code a restriction in 2011, the year of Humala's election. [2011: autonomy restriction]

- In 2015, the indigenous movement Puinamudt, which represents multiple indigenous communities of the Loreto region in the northeast Peruvian Amazon, mobilized against further exploitation of the biggest oil reserve in Peru, Lot 192 (IWGIA, 2021). They claimed that consultation processes had been inadequate, and made the project's approval conditional on a series of previous agreements concerning their right to access public services and redress for the environmental damage that past exploitation of Lot 192 had caused. In this context, Puinamudt and the government signed on the Lima Act on March 10<sup>th</sup>, 2015. According to IWGIA (2021) the new agreement included provisions on "the creation of seed funding to repair the polluted areas, the execution of independent technical studies to guide the reparations, conducting toxicological and epidemiological studies, the implementation of a health plan, the installation of a water treatment plant, and investments to reduce the historical social debt", as well as increasing the standards for indigenous consultation. One of the areas prioritised was the area of Lot 1-AB, which was exploited by Occidental Petroleum between 1971 and 2000 (see above). However, multiple sources note that implementation of the agreement has been slow and inadequate, and indigenous communities have continuously mobilized against the government's lack of action to implement the agreed provisions (Valdivia, 2022; MRGI; Burgos, 2016). We therefore do not code a concession.

### **Regional autonomy**

- EPR codes indigenous peoples of the Amazon with regional autonomy from 1980 onwards. The EPR coder justifies this decision with increased representation for indigenous people in local governments, and with the existence of executive organs in Peruvian Departments that execute core competencies of the state. We recode this case with no regional autonomy, given the limited competencies of local and regional governments and their dependence on the central government to be able to execute their functions. Hudson (1992: 219) points out that the autonomy of municipalities remains constrained in practice due to their financial dependence on the government in Lima; he argues that "Most municipalities can hardly generate the revenue to cover operating costs, much less to provide desperately needed services." Hudson further claims that the power of regional governments, like the one in Puno, is even more limited: "The process of regionalization [after the 1979 Constitution] was more one of administrative shuffling than of substance [and] the regional governments faced the same resource constraints that substantially limited the ability of municipal governments to implement independent activities. The central government is in theory supposed to transfer funds and assets, such as state sector enterprises, to the regions, but in practice this has only happened piecemeal." Relatedly, since the 1993 Peruvian Constitution came into effect, lowland indigenous communities have enjoyed autonomy in the exercise of customary legal jurisdiction within their territories (see above). Yet, our definition of regional autonomy rests on multiple substantive aspects of decision-making, political power and the exercise of core competencies of the state, conditions that jurisdictional autonomy alone does not fulfill. [1970-2020: no regional autonomy]

### **De facto independence**

- According to Gómez (2018: 187), the Wampis indigenous community has exercised de facto control of its ethnic homeland since the unilateral creation in 2015 of the Autonomous Territorial Government of the Wampis Nation. However, according to a 2017 census, only under 12,000 individuals belong to the Wampis Nation (BDPI, n.d.). We consider this to be a small and unrepresentative portion of the 332,000 lowland indigenous people in Peru, and as such do not code Wampis self-regulation as de facto independence for the wider SDM.

### **Major territorial changes**

NA

## EPR2SDM

<i>Movement</i>	Lowland Indigenous Peoples
<i>Scenario</i>	1:1
<i>EPR group(s)</i>	Indigenous peoples of the Amazon
<i>Gwgroupid(s)</i>	13505000

## Power access

- We use data from EPR, which codes the group as powerless throughout. [1970-2020: powerless]

## Group size

- We use data from EPR. [1970-2017: 0.012, 2018-2020: 0.008]

## Regional concentration

- We found no precise data and conflicting information. On the one hand, MAR notes that the Lowland Indigenous Peoples live primarily in the department of Madre de Dios in the country's Amazonian region and are therefore spatially concentrated; at the same time, though, EPR suggests that the group does not have a regional base. EPR codes the group as regionally concentrated but suggests that the group is spread over a much larger area covering approx a third of Peru's territory. Given the group's small relative group size (1.2% according to EPR), this makes it unlikely that our criteria for regional concentration are met. According to the 2017 census, the highest percentage of indigenous people in the lowlands are located in the departments of Amazonas (12.5%), Ucayali (10.4%) and Loreto (7.8%) (Instituto Nacional de Estadística, 2017). According to this data, our standard for regional concentration is not met. [not regionally concentrated]

## Kin

- EPR codes ethnic kin in Brazil and Ecuador. In keeping with this, we found evidence that some of the sub-groups associated with this SDM can also be found in other countries including Ecuador (Achuar, Huambisa/Wampis) and Brazil (Asháninka); however, their number does not exceed 100,000. [no kin]

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## **Quechua-Aymara**

Activity: 2002-2020

### **General notes**

- Peru's Quechua and Aymara communities live in the country's central and southern Andean regions. Quechuas and Aymaras make up more than a third of Peru's population, with about 8 million people self-identifying as Quechua and about 500,000-600,000 as Aymara. Note that there is little consciousness of belonging to an indigenous group among the highland indigenous populations, for whom identity is primarily the class-based *campesino* (peasant) despite them exercising customary ways of life within their communities (Ardito 1997: 19; Hallazi 2016).

### **Movement start and end dates**

- The Quechua-Aymara, the largest of Peru's highland indigenous peoples, jointly make up more than a third of Peru's population. About 8 million self-identify as Quechua and about 500,000-600,000 as Aymara. The majority of Peru's Aymara live in the southern Andean region of Puno. The Quechua-Aymara did not traditionally have many collective organizations to represent their interests.
- However, this has been changing since the late 1980s with the formation of several organizations and their mobilization against agrarian reform and the development of ancestral lands (MAR; Petterson, 2011: 160). These include the Peasant Confederation of Peru and the National Agrarian Confederation (MAR). The creation in 1999 of the National Confederation of Peruvian Communities Affected by Mining (CONACAMI) is often described as the first major success in organizing the interests of highland communities (Minority Rights Group International; Van Cott, 2005: 153). However, these organizations have a strong focus on defending the rights of indigenous peoples with regard to mining operations, rather than self-determination as we define it. Additionally, most of the indigenous organizations that claim to represent Quechua-Aymara interests are nation-wide umbrella organizations that also represent Amazonian indigenous movements, such as the Permanent Conference of Indigenous People (COPIP) (MRGI).
- We find the first evidence of organized Quechua-Aymara separatist activity in 2002, with the establishment of the Movement for Quechua and Aymara Regional Autonomy (MARQA), an organization promoting regional autonomy and located primarily in Puno, one of Peru's regions (MARQA). In 2002, David J. Sardon won the regional presidency of Puno as head of MARQA (Petterson, 2011: 160). Sardon's successor, Hernán Fuentes, though not from MARQA, has put forward a "radical indigenist secessionist agenda" (Petterson, 2011: 160). In 2008, Fuentes demanded an autonomy referendum (mimicking Santa Cruz, a separatist region in Bolivia that organized a referendum on autonomy in 2008) and unilaterally changed the region's name into "Quechua and Aymara Autonomous Federal Region" in early 2009 (Peruvian Times 2008, 2009). Fuentes remained Puno's regional president until 2011.
- We found no clear-cut evidence of organized separatist activity by MARQA beyond 2009. However, from 2007, the Unique National Center of Peasant Rounds of Peru (CUNARC) gained visibility as the main organization articulating Quechua and Aymara claims for self-determination. CUNARC was founded in 2006 and remained active in 2020 (Ruíz Molleda, 2020; Onda Azul, 2020; Alertanet, 2016; Telesur, 2019). [start date: 2002; end date: ongoing]

### **Dominant claim**

- We peg the beginning of separatist activity in 2002, with the establishment of the 'Movimiento por la Autonomía Regional Quechua y Aymara' (MARQA). MARQA demands regional autonomy (point 10: Autonomía Regional).

- Increased autonomy was also the goal of Hernán Fuentes, Puno's regional president, when he demanded an autonomy referendum and unilaterally changed the region's name into 'Quechua and Aymara Autonomous Federal Region' in early 2009 (Peruvian Times, 2009). Fuentes demanded "more autonomy and greater decentralization from the central government in administrative, judicial, financial and legislative matters, and not a clean break from the rest of the country" (Peruvian Times, 2008).
- Another group, CUNARC (formed in 2007), also makes claims for autonomy, but for Quechua-Aymara areas more generally and not just the Puno region (CUNARC, 2009).
- In further support of this, Minority Rights Group International mentions collective land rights as the major demand of indigenous organizations in Peru. [2002-2020: autonomy claim]

### **Independence claims**

NA

### **Irredentist claims**

NA

### **Claimed territory**

- The movement's start date is coded in 2002, when MARQA began to make claims for increased autonomy. MARQA was based in Puno region and claims mainly referred to that region at the time. In 2007, another group – CUNARC – was formed, which made claims related to Quechua-Aymara areas more generally, and increasingly became the movement's main representative (see above for details). On this basis, we code the territorial claim as limited to Puno region until 2009, the last year we found clear evidence of separatist mobilization on behalf of MARQA, based on the Global Administrative Areas database. From 2010 onwards, we use the Quechua-Aymara settlement area per GeoEPR as an approximation of CUNARC's broader claims, applying an ambiguous code as we were unable to find better information as to the specific territories claimed by CUNARC.

### **Sovereignty declarations**

- In early 2009, the Regional Council of Puno approved a motion to unilaterally change the Department's name to "Quechua and Aymara Autonomous Federal Region" (Peruvian Times, 2009). The move came only months after the Regional President, Hernan Fuentes, unsuccessfully demanded an autonomy referendum for the region (Peruvian Times, 2008). Lawmakers and members of the executive in Lima were quick to reject the name change, questioning its legal basis and dismissing it as an "unproductive debate" (Peruvian Times, 2009). Because the referendum proposed by Fuentes was never carried out, we consider to be this a largely inconsequential change of name, and therefore do not code this episode as a sovereignty declaration.

### **Separatist armed conflict**

- We found no evidence of separatist violence and thus code the entire movement as NVIOLSD. [NVIOLSD]

## Historical context

- Spanish conquest created a highly stratified colonial society in the Americas. For centuries, indigenous people of the Andes were largely ignored and exploited for labor in Spanish mines, ranches and plantations, often as slaves. In the 17<sup>th</sup> century, highland indigenous groups were organized into collectivities that were protected by the Spanish Crown, until the Peruvian government sold many of these lands in 1854. Unrepresented in government and without access to education or economic opportunities, Quechua and Aymara populations continued to be considered second-class citizens in the post-independence period (Minahan, 2016: 49; MAR).
- According to Minahan (2016: 346) the late 1800s saw the mobilization of Quechua regional organizations “in an attempt to redress over four centuries of abuse, abject poverty, discrimination, and neglect”.
- In 1923, a group of Aymaras organized an armed revolt in Puno demanding the devolution of stolen lands. In doing so, the group declared the creation of the Aymara Tahuantisuyana Republic and its capital, Wanchu-Lima. State forces dispersed the movement and followed the revolutionaries to their communities, where “thousands were tortured and killed, hundreds of schools torn down, numerous settlements burned, and 20,000 animals stolen” (Collins, 1998: 58).
- Between the 1920s and the 1960s, the degree of recognition and protection of Peruvian indigenous communities and their territories increased, both legally and constitutionally. However, in 1968, the government introduced a series of reforms aiming to reduce social divisions caused by ethnic and cultural differences, one of which ceased the recognition of Andean populations as indigenous communities. Their legal status was then changed to ‘peasant communities’ (*comunidades campesinas*). The Peasant Communities Act of 1970 shaped their formal organization, “giving them a resemblance to co-operatives, with General Assemblies, Vigilance Committees, and suchlike” (Ardito, 1997: 6). The transformation of these populations into peasant communities incorporated them into class-based politics, whilst also eliminating the ethnic component from their legal status and identity (Minority Rights Group International). Van Cott (2001: 53) also notes the absence of an indigenous identity in the highlands, “where an economically focused ‘peasant’ identity prevails and the term *indio* is considered an insult”.
- Government policy in Peru has historically supported the cultural preservation of the country’s Quechua and Aymara population, at least at a rhetorical level. In 1975, the government made Quechua and Aymara official languages in areas with high numbers of native speakers. In 1989, it introduced the policy on Bilingual and Intercultural Education, which made Quechua and Aymara the language of instruction for Quechua and Aymara-speaking children in rural areas (Minority Rights Group International; Sarioli, 2001)
- The current Peasant Communities Act, enacted in 1987, redefined the legal character of peasant communities. It recognises them as “organisations with public status, having legal existence and personality: they are formed by families who inhabit and control certain territories, bound by ancestral, social, cultural and economic links, expressed in communal ownership of the land, communal work, reciprocal help, democratic government and multisectoral activities. Their ends are the full realisation of the welfare of their members and the whole country” (Ardito, 1997: 6).
- The 1993 Constitution granted peasant communities the right to exercise customary legal jurisdiction within their territories, as far as they did not violate fundamental human rights (Ardito, 1997: 2). [1993: autonomy concession]

## Concessions and restrictions

- In 2002, the Peruvian Congress passed Law 27908, which recognized the legal character of peasant rounds and thus allowed indigenous peasant communities to exercise some customary legal functions in their territories. The law also increased the community-level participation in development projects, alongside some additional administrative responsibilities. According to Hallazi (2016), the recognition was vague and caused numerous conflicts in indigenous territories over the application of judicial authority. In 2009, the Peruvian Supreme Court clarified the extent of the judicial faculties enjoyed by indigenous peasant communities. Despite the problems and shortcomings in the law’s implementation, Hallazi (2016) recognizes that it increased the



level of legal autonomy of Quechua and Aymara peasant communities in Peru. Note: it is not clear whether the concession was made before or after the movement's start date in 2002. [2002: autonomy concession]

- In 2005, the Peruvian government created a multicultural state institution, the Instituto Nacional de Desarrollo de los Pueblos Andinos, Amazónicos y Afro-Peruanos (INDEPA), to represent the interests of Peru's ethnic and cultural groups within the government. The institution includes Quechua and Aymara representatives. Yet, according to Minority Rights Group International, INDEPA has so far failed to procure any major legislative or constitutional changes. We therefore do not code this as a concession.
- Sources concur that the government of Ollanta Humala – between 2011 and 2016 – systematically violated the territorial rights of Quechua and Aymara peasant communities. Humala's neoliberal policies caused a surge in extractive activities in the Peruvian highlands, which, tied to the Peruvian state's reluctance to recognize peasant communities as indigenous, continuously violated Quechua and Aymara land rights (IWGIA, n.d.; MRGI; Hallazi, 2016). For instance, Humala introduced legislation that enables the government to grant land rights to large-scale projects if it deems that territories are under-utilized (MRGI). Notable examples of extractive development megaprojects that violated Quechua-Aymara land rights are the Yanachocha, Santa Ana and Tía María mining projects. We code a restriction in 2011, the year of Humala's election. [2011: autonomy restriction]
- In December 2020, Peru's Constitutional Tribunal overturned the application of Law 27908 (see above). With the enactment of Sentence 468-2020, the tribunal declared that peasant rounds would no longer be allowed to exercise customary jurisdiction in their territories, and that only indigenous communities would be allowed to do so. This decision was met with discontent and widespread social mobilization by highland peasants (Ruíz Molleda, 2020; Radio Madre de Dios, 2020). [2020: autonomy restriction]

### **Regional autonomy**

- EPR codes indigenous peoples of the Andes with regional autonomy between 2003 and 2010. The EPR coder justifies this decision with increased representation for indigenous people in local governments, and with the existence of executive organs in Peruvian Departments that execute core competencies of the state.
- We recode this case with no regional autonomy, given the limited competencies of local and regional governments and their dependence on the central government to be able to execute their functions. Hudson (1992: 219) points out that the autonomy of municipalities remains constrained in practice due to their financial dependence on the government in Lima: He argues that "Most municipalities can hardly generate the revenue to cover operating costs, much less to provide desperately needed services." Hudson further claims that the power of regional governments, like the one in Puno, is even more limited: "The process of regionalization [after the 1979 Constitution] was more one of administrative shuffling than of substance [and] the regional governments faced the same resource constraints that substantially limited the ability of municipal governments to implement independent activities. The central government is in theory supposed to transfer funds and assets, such as state sector enterprises, to the regions, but in practice this has only happened piecemeal."
- Moreover, the jurisdictional autonomy granted to peasant communities in 2002 (see above) is too limited to warrant an autonomy code. [no regional autonomy]

### **De facto independence**

NA

## Major territorial changes

NA

## EPR2SDM

<i>Movement</i>	Quechua-Aymara
<i>Scenario</i>	1:1
<i>EPR group(s)</i>	Indigenous peoples of the Andes
<i>Gwgroupid(s)</i>	13501000

## Power access

- We use data from EPR. [2002-2020: powerless]

## Group size

- We use data from EPR. [2002-2017: 0.361; 2018-2020: 0.247]

## Regional concentration

- MAR codes the Quechua-Aymara as regionally concentrated and that a majority of the group live in their regional base (50-75%). EPR also codes regional concentration. [regionally concentrated]

## Kin

- EPR codes ethnic kin in Bolivia, Chile, and Ecuador. The Quechua number in the millions in Bolivia and Ecuador and according to Minahan (2002: 1551), there are approx. 100,000 Aymara also in Chile. There are smaller communities of Quechua-Aymara also in Colombia and Argentina. [kin in adjacent country]

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