Chile: “The new Constitution must recognize Indigenous Peoples by means of a Plurinational State”

Luis Jiménez Cáceres was elected as a Constitutional Assembly Member for the Aymara people. His Aymara roots come from the regions of Arica and Parinacota (Guallatire Community) and Tarapacá (Chiapa Community). A lawyer specializing in the human rights of Indigenous Peoples and the environment, he affirms that the new Constitution must guarantee territorial autonomy and political participation in decision-making, and recognize pachamama as a subject of law.

By Paulina Acevedo - 1st June 2021

Indigenous Debates: What motivated you to run for the Constituent Assembly?

Luis Jiménez Cáceres: As an Aymara and a lawyer, I am part of a movement that has been demanding the defence of our ancestral territories and Mother Earth. We are diverse people and communities that have come together to defend our malkus, our sacred hills, from the mining projects that are affecting our territories. It was in this context that I decided to apply to be an Assembly Member candidate for the Aymara people.

ID: How does it feel to be a member of the Constituent Assembly representing your people?

LJC: We are very pleased to have been able to gain a seat in the Assembly as this will give us influence over the way in which territorial protection and Indigenous rights are enshrined in the new Constitution. We also feel a great responsibility to defend the historical claims of the Aymara people. In this sense, we feel we are in very good company. Personally, I see it as the culmination of a process in which the Nueva Imperial Agreements formed a key milestone, when the Aymara, Mapuche and Rapanui people, among others, came together to demand constitutional recognition. Finally, 20 years later, this has become a possibility. So we are very happy, very hopeful and have great strength to follow this path.
ID: What are your expectations of the process?

LJC: Our expectation is that we will be able to put an end to this relationship of domination between the Chilean State and the Aymara people. We are seeking guarantees of an equal and intercultural relationship that recognizes us as peoples with the right to self-determination. The State must recognize us as subjects with political rights, the right to govern ourselves and the right to participate in decision-making at the municipal and regional levels, in Congress and in the courts.

ID: How should Indigenous Peoples participate in such a process?

LJC: Indigenous participation must be as peoples. This means respecting that we are political subjects with the right to self-determination. The constitutional process must therefore be intercultural, it must respect the traditional authorities and traditional forms of decision-making. We hope that the future rules of the Constituent Assembly will reflect this principle of interculturality and that the participation of Indigenous citizens will be as broad as possible, with guarantees for all.

ID: What would you like to see in the new Constitution?

LJC: At least three ideas must be enshrined in the new Constitution. First, the Indigenous Peoples must be recognized by means of a Plurinational State that guarantees territorial autonomy, political participation in all decision-making bodies, and a set of collective rights in accordance with international standards. The second element must be a new development model that goes beyond extractivism, that is supportive, environmentally-sustainable and with an emphasis on science, technology and knowledge, both Western and Indigenous. And, thirdly, there must be recognition that nature, the environment, pachamama, has life and is inextricably linked to us: we are a part of the world, not the centre of it. We are therefore agreed that the new Constitution should recognize pachamama as a subject of rights.

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