Indigenous Land Titling in the Peruvian Amazon: Bridging Ontologies or Consolidation of Capitalist Frameworks?

Territorial Complexity in Atalaya

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Abstract

NEDERLANDS

Territoriale conflicten en Inheemse mobilisaties in de Peruviaanse Amazone leggen beperkingen binnen de institutie van Inheemse landeigendomstitels en spanningen tussen statistische en Inheemse wereldbeelden bloot. Door etnografisch veldwerk, uitgevoerd in de Peruviaanse provincie Atalaya, onderzoekt deze thesis vanuit een ontologische benadering of gemeenschappelijke landstitels voor Inheemse groepen bijdragen aan een dekoloniseringsproces, dankzij het bevorderen van Inheemse autonomie. Waar de Westerse kapitalistische ontologie Natuur/Cultuur opdeelt en zichzelf als exclusief voorstelt, zijn Inheemse ontologieën holistisch en *pluriverseel*. De eerste (1) reduceert *land* tot zijn economische waarde, terwijl de tweede (2) een multidimensionaal *territorium* zien, met een integraliteit van menselijke en niet-menselijke actoren. Ik stel de vraag of Inheemse landstitels, die niet individueel maar gemeenschappelijk zijn, deze tegenstelling (deels) overstijgen.
De casus van Atalaya toont de noodzakelijkheid van landstitels aan, alsook de legale begrenzingen en (post)landtitelingsproblemen. Na jaren van onderdrukking waren gemeenschappelijke landstitels een belangrijk instrument voor het terugwinnen van Inheems territorium. Controle over natuurlijke hulpbronnen blijft echter in staatshanden. Uitgestelde landstitels, overlapping met staatseigendom en andere actoren, interne spanningen en territoriale conflicten en verwarring onthullen structurele problemen. Dit is gerelateerd aan inadequate wetgeving, die de houtindustrie prioriteert vanuit een anti-inheemse bias, alsook aan de institutie van landstitels zelf, gebaseerd op koloniale structuren en Westerse kaders.
Voorstellen van Inheemse organisaties tonen hoe het concept 'territorium' strategieën voor Inheemse autonomie en dekolonisatie kan gidsen. 'Territorium' omvat zowel de restitutie van Inheemse gronden als het verwezenlijken van Inheemse pluriversele werelden, door het koloniale eigendomskader te overstijgen. De ontologische shift noodzakelijk voor dekolonisatie vereist niet het afschrijven van een bepaalde ontologie, maar het creëren van ruimte waarin Westerse en Inheemse ideeën elkaar kunnen ontmoeten, om iets nieuws te bekomen.

Sleutelwoorden: Inheemse autonomie – Inheemse volkeren – landstitels – pluriversum – territorium

ENGLISH

Indigenous mobilizations and territorial conflicts in the Peruvian Amazon reveal limitations of the institution of Indigenous land titles and tensions between statist and Indigenous approaches of territory. Through ethnographic field work conducted in the Peruvian province of Atalaya, this thesis investigates whether communal land titles for Indigenous communities contribute to

a process of decolonization, by enhancing Indigenous autonomy. This is approached from an ontological perspective. Where Western capitalist ontology separates Nature/Culture and makes itself exclusive, Indigenous ontologies are holistic and *pluriversal*. The former (1) reduces *land* to its economic value, while the latter (2) inhabit a multidimensional *territory*, encompassing an integrity of human and non-human actors. I ask whether Indigenous land titles, being communal, help bridge this opposition.
The case study of Atalaya demonstrates the necessity of land titles as well as legal limitations and (post-)titling challenges. After years of oppression, Atalaya's Indigenous peoples reclaimed their territory through communal land titles. Yet, control over resources remains with the state. Delays in titling, overlaps with state land and other actors, internal tensions and territorial conflicts reveal structural problems. This is related to inadequate legislation, which prioritizes the timber industry from an anti-Indigenous bias, but also to the institution of titling itself, rooted in colonial structures and Western exclusivist ontology.
Proposals of Indigenous organizations demonstrate how the concept of 'territory' can guide strategies to enhance Indigenous autonomy and decolonization. 'Territory' includes both the return of Indigenous lands and the realization of Indigenous pluriversal words, by moving beyond the colonial property-framework. The ontological shift required by decolonization does not entail disregarding either one ontology, but creating space for diverse ontologies to meet and complement each other into a new whole.

Keywords: Indigenous autonomy – Indigenous peoples – land entitlement – pluriverse – territory

ESPAÑOL

Conflictos territoriales y movilización indígena en la Amazonia peruana demuestran las limitaciones de la titulación de tierras indígenas y las tensiones entre perspectivas estatales e indígenas. A través de un trabajo de campo etnográfico realizado en la provincia de Atalaya, esta tesis investiga desde una perspectiva ontológica si los títulos de tierras comunales contribuyen a un proceso de descolonización, al aumentar la autonomía indígena. Mientras la ontología capitalista occidental separa Naturaleza/Cultura y se presenta como exclusiva, las ontologías indígenas son holísticas y *pluriversales*. La primera (1) reduce *tierra* a su valor económico, mientras que la segunda (2) ve un *territorio* multidimensional, que abarca una integridad de actores humanos y no-humanos. Yo pregunto si los títulos de tierras indígenas, siendo comunales, podrían trascender esta oposición.
El caso de Atalaya demuestra la necesidad de títulos de tierras, así como las limitaciones jurídicas y los desafíos durante/después de la titulación. Después de años de opresión, los pueblos indígenas reclamaron sus territorios a través de titulación. Sin embargo, el estado mantiene el control sobre los recursos. Retrasos de titulación, superposiciones con tierras estatales y de otros actores, tensiones internas y conflictos territoriales revelan problemas estructurales. Esto se relaciona con una legislación inadecuada, que prioriza la industria

maderera por tendencias anti-indígenas, y también con la propia institución de titulación, que tiene sus raíces en estructuras coloniales y en la ontología occidental.
Las propuestas de las organizaciones indígenas demuestran cómo el concepto de 'territorio' puede orientar estrategias para promover autonomía indígena y descolonización. 'Territorio' incluye tanto la recuperación de las tierras indígenas como la realización de mundos pluriversales, al trascender el marco colonial de propiedad. El cambio ontológico que requiere la descolonización no implica rechazar una ontología, sino crear espacio donde las ontologías diversas puedan encontrarse y complementarse en un nuevo conjunto.

Palabras claves: autonomía indígena – pueblos indígenas – titulación de tierras – pluriverso – territorio

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Abbreviations

AIDESEP	*Asociación Interétnica de Desarrollo de la Selva Peruana* / Interethnic Association for the Development of the Peruvian Rainforest
ANC	Area of Native Communities
CEDIA	*Centro para el Desarrollo del Indígena Amazónico* / Centre for the Development of Amazonian Indigenous people
CN	*Comunidad Nativa* / Native Community
COICA	*Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica* / Coordinator of Indigenous Organizations of the Amazon River Basin
CORPIAA	*Coordinadora Regional de los Pueblos Indígenas de Atalaya* / Regional Coordinator of the Indigenous Peoples of Atalaya
GDPI	*Gerencia de Desarrollo de Pueblos Indígenas* / Direction for the Development of Indigenous Peoples
DRAU	*Dirección Regional Sectorial Agricultura Ucayali* / Regional Directorate of Agriculture of Ucayali
FABU	*Federación Asháninka del Bajo Urubamba* / Asháninka Federation of Bajo Urubamba
FECONAPA	*Federación de Comunidades Nativas Ashéninkas de la Provincia de Atalaya* / Federation of Ashéninka Native Communities of the Province of Atalaya
FEMA	*Fiscalía Especializada en Materia Ambiental de Ucayali* / Environmental Finance department of Ucayali
GIZ	*Deutsche Gesellschaft für Internationale Zusammenarbeit* / German Society for International Cooperation

ILO 169	Indigenous and Tribal Peoples Convention (1989); International Labour Organization Convention
IO/IOs	Indigenous Organization/s
IP/IPs	Indigenous People/s
MINAGRI	*Ministerio de Agricultura y Riego* / Ministry of Agriculture and Irrigation
OAGP	*Organización Asheninka Gran Pajonal* / Gran Pajonal Asháninka Organization
OIRA	*Organización Indígena Regional de Atalaya* / Regional Indigenous Organisation of Atalaya
ONAMIAP	*Organización Nacional de Mujeres Indígenas Andinas y Amazónicas del Perú* / National Organisation of Andean and Amazonian Women in Peru
OSINFOR	*Organismo de Supervisión de los Recursos Forestales y de Fauna Silvestre* / Forest and Wildlife Resources Supervisory Agency
OWW	One-world world
SERFOR	*Servicio Nacional Forestal y de Fauna Silvestre* / National Forest and Wildlife Service
SOFFSA	*Sede Operativa Forestal y Fauna Silvestre Atalaya* / Operational Seat of the National Forest and Wildlife Service Atalaya
URPIA	*Unión Regional de los Pueblos Indigenas de la Amazonia de la Provincia de Atalaya* / Regional Union of Amazonian Indigenous Peoples of the Province of Atalaya

Glossary of common terms

Apu	Community leader
Chakra	Farm, field for cultivation
Comunero	Member of Native Community
Comunidad Nativa	Native Community
Hacienda	Farm estate
Hermano/hermana	Brother/sister
Maderero	Lumberman/Lumber baron
Mestizo	Of mixed descent, Indigenous and non-Indigenous (Spanish, European)
Parcelero	Individual plot holder
Paro	Strike
Paro Amazonico	Amazonian strike

¿Que tiene dueño la tierra? ¿Cómo así? ¿Cómo se ha de vender? ¿Cómo se ha de comprar? Si ella no nos pertenece, pues. Nosotros somos de ella. Sus hijos somos. Así siempre, siempre. Tierra viva. Como cría a los gusanos, así nos cría.

. . .

Hace nacer casas. Gente hace nacer. Ella nos cuida y nosotros la cuidamos.

. . .

Hijos suyos somos. ¿Cómo se ha de vender? ¿Cómo se ha de comprar?

(Galeano 1994:38)

[How can the Earth have an owner? How? How can she be sold? How can she be bought? When she does not belong to us. We are hers. Her children are we. Like that always, always. Living Earth. Like she raises the worms, so she raises us.

. . .

She births houses. She births people. She cares for us and we care for her.

. . .

We are her children. How can she be sold? How can she be bought?]

PART I: INTRODUCTION

1. INTRODUCTION

In August 2018, an Amazonian strike—the '*Paro Amazonico'*—was organized, with the Peruvian province of Atalaya as centre. Many Indigenous communities participated and gathered in the town of Atalaya where they, by blocking rivers and roads, forced local economy to halt for almost 20 days. The strike took place because Indigenous peoples (IPs) and their organizations had been demanding governmental support for years, without response. The *paro* was their last resort, and demanded the titling of communities, the protection of ancestral Indigenous territory, compensations for contamination and the cancellation of fines for transgression of forest law.

The *paro* demonstrated the prevalence of territorial issues and the lack of Indigenous autonomy over their territories. Demands concerned both territory and resources, for these are intrinsically connected. In this dissertation, I explore the concept of 'territory' as it plays out in today's Atalaya. 'Territory' entails a larger assemblage of which 'land' is a part. For its "life-giving affordances", land is essential for human life (Li 2014:591). Land has always played a key role in human history, and through relatively recent commodification processes it has become an object of trade, extraction and exclusion. As Tania Murray Li writes, land's meaning varies for different actors. Many (Indigenous and non-Indigenous) scholars assert that IPs are 'place-based societies', who consider themselves to be part of their environment and connected to all of its elements. Accordingly, contemporary IPs, including the Amazonian peoples of Atalaya, have chosen to use the term 'territory' (*territorio*) instead of 'land' (*tierra*). 'Territory' is a concept more capable of grasping the territorial *integrity*, which includes land as a common good within the interconnectedness of all ecosystem elements. Within this 'Gaia', humans are co-actors alongside other more-than-human actors such as plants, animals, stones and rivers (Latour 2017; Delgado-P 2009).[1]

[1] 'Gaia' was re-introduced by Lovelock, to mean the system of planet Earth as a living organism. Latour further developed Gaia to mean the Earth as a self-regulating system—not a

Indigenous ontologies can be called *pluriversal*; open to the existence of many worlds and dimensions.[2] Territorial struggles and oppositions between state, capital and IPs can be seen as ontological struggles, as the (colonial) occupation of Indigenous territories, by state and capital, attempts to 'fit many worlds into one'—the one-world world (Escobar 2017; Law 2011). While in Indigenous cosmologies, *territory* carries material, symbolic, spiritual and social meanings, Western ontologies tend to recognize *land* for its economic value with little consideration for other aspects.[3] This has roots in deeper ontological differences. Where Indigenous ontologies embed humanity within a wider ecosystem and a multidimensional world without separations, Western ontology is inherently anthropocentric and defines humanity by distinguishing it from nature (Latour 2017).[4] The Nature/Culture division places humanity outside and above nature, according humanity the 'right' to impose its will and make nature into resources. This false Nature/Culture dichotomy is contrasted with the Indigenous pluriversal ontology.

Naturally, reality is more complex. Instead of two clearly opposed sides and ontologies, we inhabit a continuum of meanings and worlds, where perspectives continually change. The territorial landscape in Atalaya reflects this complexity.

During my time in the Peruvian Amazon, I was immersed in territory's conceptualizations as well as practicalities. Land and resources carry different meanings for government and for IPs. These divergences, together with ongoing colonial dynamics and biased regulatory frameworks, lead to conflict situations, here discussed for Atalaya. Atalaya, the Peruvian province which I came to know, is situated in Peru's *Selva Baja* or lowland jungle,

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harmonious whole, but a complex system of interaction between different actors in which the human is an actor alongside others.

[2] 'Ontologies' are different from 'epistemologies'. They are not 'beliefs' about reality, but *different realities*, enacted in different practices (Law 2011).

[3] I speak of 'Western' in reference to intellectual and philosophical traditions associated with Western Europe, especially since the onset of capitalism and the domination of private property (most strongly from the 16th century on).

[4] I use the term 'Western ontology' for sake of clarity. However, it is more correct to speak of ontolog*ies* in plural—for both Western and Indigenous ontologies—as also within Western tradition, ontology is in evolution and multiple, with different realities existing alongside each other (see Law 2011).

in the department of Ucayali. About 65% of the population self-identifies as Indigenous (World Bank 2018). The largest groups are the Asháninka and Ashéninka peoples. Long before the foundation of 'Atalaya', they were the peoples inhabiting these lands. They stayed in control of their territories until the 19th century, after which they were subjugated and enslaved for extraction of resources. This continued until the 1980s.

Between August and December 2019, I conducted ethnographic research here. Interviews and participative observation happened in cooperation with both Asháninka and Ashéninka groups.[5] They are related but distinct peoples, indigenous to the Peruvian rainforest with groups living in Brazil. They are mainly subsistence farmers, and known to be fierce warriors. Most Asháninka communities are found in upper Atalaya, and today's Ashéninka communities in Gran Pajonal; the region of 'Great Grasslands' within Atalaya province. While my focus is on the Ucayali basin, for their complementarity this research includes both regions.

Through a focus on the territorial context of Atalaya and manifestations of (legalized) territoriality and conflict, connections and tensions between territory and (de)colonization are explored. In Latin America, settler colonial domination was based on the appropriation of land. IPs were dispossessed, displaced and oppressed. These lands have not been returned and settler colonialist institutions and mechanisms remain in place. When speaking of colonization, I am guided by the framework of the Latin American 'Grupo Colonialidad/Modernidad'.[6] Aníbal Quijano (2007) distinguishes 'colonialism', as the political and economic system of colonization, and 'coloniality', as the racist power relations which are both consequence and foundational principle of 'colonialism'. The coloniality of power and knowledge installed a racial, institutional bias which obscures and devalues Indigenous knowledges. Formal 'decolonization'—independence from Spain—has not altered this coloniality of power. In Peru, colonial relationships between IPs and settlers were continued. The invisibilization of Indigenous uses and conceptualizations of land—'territory' and territoriality—are part of colonial 'epistemicide'; the neglect and destruction of Indigenous knowledge systems,

[5] While both peoples are part of this research, this dissertation mostly speaks of the Asháninka, as I took their cosmological understandings as point of departure. It would necessitate another dissertation to dive into the differences between Asháninka and Ashéninka culture and cosmology.

[6] Their premise is that coloniality is constitutive of modernity and vice versa (Mignolo 2005).

resulting in dehumanization (Rutazibwa 2019). To change this reality, a process of decolonization is needed which entails dismantling colonial structures and valorizing 'alternative' knowledges. Decolonization is not mere 'independence', but the unlearning of historically determined relations of power: "habits of privilege and privation, of ruling and dependency" (Mohanty 1995:110).

The situation in Atalaya shows how settler colonial dynamics still guide IP-state relations. In a continuation of colonial history, rife with exploitation and struggle, dispossessions and violent extractivism, territorial questions continue to be the cause of conflicts. Conflicting land claims, institutional corruption and land trafficking abound and are a source of frustrations, of which the 'Paro Amazonico*'* was the culmination. The strike was organized by the Indigenous organizations (IOs) or *federations*, who play an important political role in Atalaya. They were created with the aim of safeguarding territory, as part of a larger Indigenous movement of demanding rights and land. Reclaiming ancestral territories is deemed a necessary condition for Indigenous survival, with the titling of Indigenous communities as an important tool (AIDESEP 2020). Communal land titles place land in possession of a *community*, as opposed to individual private property. Communal land titles are the first logical, and legally possible, step towards achieving territorial security.

There are about 150 Indigenous communities in Atalaya, represented by 25 Indigenous federations. This is a changing landscape, as several groups are in the process of soliciting land titling and communities and federations keep springing up. Furthermore, Atalaya is the Peruvian province with most 'Native Communities' without land title.[7] In response to the Paro Amazonico, various land titling projects were (re)commenced. However, not all communities are included in these projects. Furthermore, communal titling does not follow Indigenous worldviews or preclude territorial conflict. (Legal) limitations and errors lead to titling and post-titling issues such as delays, overlaps and incomplete titles. These limitations are built into legislation, still based on the colonial framework. Ontological differences about the meaning of land and territory are also at the root of this. The colonial view of land as a resource, with solely economic value, is incommensurable with the Indigenous view of land as part of a

[7] 'Native Community' is the official term for Peru's Indigenous Amazonian communities, as explained further.

multidimensional territory imbued with meaning. In the colonial process, the Indigenous view has been omitted. The colonial concept of 'Terra Nullius' or 'nobody's land' legitimized the settler occupation of Indigenous lands, by erasing Indigenous history and presence. To achieve true decolonization, it is needed to to return the land, and to make Indigenous stories and cosmologies visible again.

1.1. Research question

Despite the ambiguities, communal land titling is essential for reclaiming Indigenous territories. While not minimizing differences between IPs, all over the world and of many different cultures, there is a clear difference between Indigenous views and the hegemonic capitalist, modernist perspective on 'land'. Does communal land titling bridge these oppositional views? Or—to not ignore overlap between actors and their ever-changing perspectives and ontologies—where do communal land titles fit on this continuum of meaning? Furthermore, this dissertation explores whether communal land titles for Atalaya's Indigenous communities contribute to a process of decolonization.

The process of decolonization, as an ongoing practice which must be consciously (re)enacted, entails both material and symbolic decolonization (Cusicanqui 2012). It is the ending of settler colonial *structures,* by redistribution of wealth and restitution of land, following Indigenous understandings (Tuck & Yang 2012). Current titling systems neglect this, as discussed in this dissertation. Still, communal land titles are a tool towards advancing 'Indigenous autonomy'—the overarching objective of Atalaya's IO. Indigenous, *territorial* autonomy (or self-government) is an important part of decolonization—although not explicitly called so by my informants—as it denounces settler dominance. To challenge state institutions and frameworks, to think outside these structures (presented as exclusive) and develop alternatives, are strategies of decolonization. To achieve Indigenous autonomy, securing Indigenous control over land *and* resources is important. Do communal land titles promote *autonomía indígena*, complying with Indigenous demands?

It is important to keep in mind that these lands were always theirs. The state appeared long after pre-existing forms of Indigenous governance. Land titles, although communal, are a strategy of categorization and commodification (Li 2010). Furthermore, true decolonization

must be guided by Indigenous knowledges and cosmovisions. I therefore argue that communal land titling cannot bring about decolonization, or unite different ontologies, for it is an institution rooted in Western ontology, which is based on exclusivity and uniformity. It follows Western conceptualizations of land and does not respect Indigenous integral territoriality. Moreover, decolonization demands an ontological shift—to release the Nature/Culture dogma. This requires not only the restitution of *all* land, but also the abolition of land as property (Tuck & Yang 2012).

1.2. Dissertation structure

When trying to understand current territorial questions and outright conflicts, an ontological approach and asking about the underlying cause ('why'), deepens our insight and can provide a frame for further action. The ontological question of 'territory' is the guiding thread through this thesis, as is the question of 'Indigeneity' (and settler colonialism). What does it mean to be Indigenous, and what is an Indigenous conception of territory? My understanding of the meaning of 'land' and 'territory' is first and foremost based on Indigenous and specifically Asháninka ontology, but also influenced by the movement of Spiritual Ecology (which is itself inspired by Indigenous cosmologies and other spiritual traditions).

This conceptual framework, found in Part I (Chapters 3 and 4), is the basis for Part II, containing the case study. Here, the theoretical framework is linked to the complex territorial situation of Atalaya's IPs. Chapter 5 provides a description of my field work methodology, followed by a contextualization of Atalaya's history in Chapter 6. A historical perspective is necessary to understand the position of Indigenous communities in Peru. How did processes of colonization play out in the province of Atalaya? I explain the creation and implementation of Indigenous communal land titles, as it played out in Peru and in Atalaya specifically, crucial for understanding today's territorial situation. What is a '*Comunidad Nativa'*, to which the Peruvian state 'grants' land? What does a community title mean in Atalaya's fragmented landscape of titled and untitled communities, individual owners, concessions and state land? The need for titles, but also the limitations of the legal framework of communal land titling, are discussed in Chapter 7.

New communities continue to be formed, settled communities apply for territorial extensions, and land traffickers create 'ghost communities' to gain access to land and forest resources.

Current conflicts and overlaps prove how titling does not guarantee territorial security. The post-titling challenges that communities face, are discussed in Chapter 8. This dynamic, changing landscape with blurred lines between Indigenous and non-Indigenous, capitalist and non-capitalist proves very challenging; to the state, which wishes to make everything legible, and to IPs, whose access to land and resources is continually contested. However, for actors looking to accumulate capital and to move 'between the grid', the situation of blurred boundaries is convenient.

The question of how IPs organize to defend their land arises, bringing us to the Indigenous movement. In Chapter 9, the role of federations and mobilization in relation to the territorial question—intrinsically linked—is discussed. I also discuss alternative territorial models as proposed by Indigenous federations, and how these could contribute to 'real' Indigenous autonomy. Finally, Chapter 10 brings us the conclusion of this dissertation.

2. METHODOLOGY I

With the practicalities of my field research discussed in Chapter 5, I wish to introduce my general approach before diving into the theoretical framework.

Guided by my background in African Studies and Conflict and Development Studies, I started my research from an anthropological perspective. As I am myself involved in (social and environmental justice) activism, I wanted to take on an activist approach and contribute to an anticolonial struggle. As a white European woman, avoiding the reproduction of (neo)colonial structures had to be active part of my research. Therefore, the topic of my research was decided by conversations with people active in the field, based on where they recognized a need for further research. The further evolution of my research was likewise decided by the people I met, who were knowledgeable and directly involved in Atalaya's complex territorial context. To honour this, the words of the people I interviewed form the basis of this thesis. I owe my analyses to their reflections. These people were mostly Indigenous comuneros and leaders, but also state functionaries and others. I attempt to move beyond approaching them as 'informants', which, as stated by Delgado-P. (2009), would imply them to be mere providers of information. Instead, the objective was a dialogue between researcher and informants as equals, without hierarchical relations. However, I do acknowledge the impossibility of omitting all preconceptions. Furthermore, reflecting on my positionality as a researcher, I recognize my own bias. No researcher can let go of his/her background. The final analysis is necessarily a "combination of etic (outsider or the researcher's) and emic (insider or the participants') perspectives" (Yilmaz 2013:315). As I have been raised and educated in Western society of which colonial and racial structures, as well as anthropocentric ontology, are an inherent part, this is also reflected in my observations.

Escobar writes how "the academy, taken as whole, has been part of the occupying ontology. We, academics, often ignore living knowledges, communal and spiritual knowledge, art, even other 'nonacademic' literatures that would be relevant for our inquiries" (2017:251). He states that we should be open to transforming our academic and knowledge practices, by welcoming a much larger collective of humans and non-humans into our conversations, and learn from 'non-academic' fields such as spiritual ecology. Inspired by Escobar, my theoretical research framework is the ontological approach of the pluriverse, as it applies to territoriality. This

approach allows for the existence of multiple realities and worlds, and is elaborated on in Chapter 5. As I write about the pluriverse as basis for a postcolonial approach, I myself have also tried to live in this pluriverse and partly leave aside 'academic' ideas based in the Western one-world world (OWW). In this thesis, I therefore also maintain a more spiritual and pluriversal approach which might not always have a place in academics, but which has become more respected—and deservedly so—in feminist and postcolonial political ontologies as a basis to build "practiced spaces for understanding and healing" and "pluriversal pedagogies for re-weaving co-creating worlds with others" (Escobar 2017:251). To only take my own conception of reality—shaped by Western thought—as a starting point would be a disrespectful reduction of complex, multilayered and multidimensional worlds. However, I acknowledge that there are aspects of Asháninka reality that I cannot grasp, simply because I am not Asháninka. Also, reality is shaped by language. While translation, a common lingua franca, or even learning a language, enhance understanding, Marisol de la Cadena (2015) aptly describes how 'translating' does not lead to 'knowing'. Abstract layers, existing alongside words and actions, cannot be grasped or put into words. In observing and describing, many things go lost—or are changed or reduced—in (intercultural) translation. De la Cadena writes how "my world was included in the world that my friends inhabited and vice versa, but their world could not be reduced to mine, or mine to theirs" (2015:4). These difficulties, and their recognition, are inherent to the pluriversal approach. Dealing with ontologies, it remains challenging to understand the meaning and respect the existence of distinct worlds—especially for those of us coming from the OWW.

The following Chapter discusses the meaning of Indigeneity, followed by Chapter 4 which elaborates on Indigenous and Western territorialities, seen through the lens of spiritual ecology. The concepts discussed in these chapters form a constant thread throughout the research, both for the literature study and on the field.

PART II: THEORETICAL FRAMEWORK

3. INDIGENEITY

> "Indigenous to the lands they inhabit, in contrast to and in contention with the colonial societies and states that have spread out from Europe and other centres of empire." (Alfred & Corntassel 2005:597)

3.1. Modern category

To be 'indigenous' means 'to be of a place'. To respectfully refer to the Native or First peoples of an area, I use 'Indigenous' with capital I. In attempts to define 'the Indigenous identity', land-embeddedness has been named as a key characteristic. Yet, as all identities, Indigenous identit*ies* are plural, dynamic, and "var[y] with time and place" (Alfred & Corntassel 2005:600). Instead of embracing identities' fluidity, modern states prefer to 'make reality legible' by fixing identity and fitting everything into clearly defined categories (Scott 1998). This functions to fix the subaltern in racial hierarchies and retain control. The way Latin American countries deal with the 'Indigenous Question' illustrates this. An example is Bolivia; while the plurinational state of Bolivia celebrates its Indigenous groups, at the same time it also conditions them by adopting an image of the 'perfect Indian'. The *indio permitido* is the Indian whose citizenship is permitted by the state; the 'assimilated Indian'. The 'other Indian' is left out, perhaps even more so than before. Moreover, Bolivia, and other countries, expect IPs to prove their connections to a pre-Columbian past, to be recognized as 'Indigenous' and to make claims to land. Naturally, IPs do not live the same traditional lives from before (they are not 'static' in time), leading to a questioning of Indigenous authenticity—'authenticity' being a Western notion, never demanded of Western culture itself (Sullivan 2013). These flawed conceptualizations of 'Indigeneity' justify the denial of rights to Indigenous communities (Sullivan 2013). It is quite bitter "that the government created by the settlers and intruders who took your land and killed your people gets to determine if you are still an Indian" (LaDuke in Vaughan-Lee 2017:94-95). Also in Peru, recognition as 'Native Community' depends on a continuation of traditional culture and political and economic institutions, and knowledge of Indigenous languages (although not a determining factor).

Indigenous ways of life—described as pre-capitalist, communal, traditional and even primitive—are often opposed to capitalist ways. Elements incompatible with 'modernity'—based on Western ideology—are placed outside history and named 'non-modern' (Mitchell 2000). Yet, as Tania Murray Li writes, "indigeneity does not stand opposed to capitalism as a prior state on a linear, evolutionary trajectory or as a marker of ineffable otherness. Rather, it stands opposed to capitalism because it coemerged with it" (2010:410). Indigeneity is no given, inherent characteristic, but a construct. Categorizing 'Indigenous' peoples as 'subhuman' was a strategy to differentiate and justify their exploitation, essential to capitalist development. Presented as pre-modern, the category of 'Indigenous' is *per se* a modern category which emerged in the colonial encounter—a foundational moment as well as a first consequence of (global) capitalism. Indeed, "it takes modern means to become traditional, to be Indigenous" (Hirtz 2003:889). Additionally, one is only Indigenous versus those who are non-Indigenous or newcomers. This reflects Fanon's observations on the meaning of 'Blackness' in the colonized world: one is "black in relation to the white man" (2008:83). The white man's gaze reduces colonized (Black or Indigenous) people to their skin colour or ethnicity, also influencing their self-perception—oftentimes leading to internalized inferiority complexes and rejection of own traditions and belief systems.

3.2. Place-based category

Indigeneity is relational, often defined in relation to a dominant, non-Indigenous group of settlers. Yet, 'being conquered' by another group is no precondition for being Indigenous (Alfred & Corntassel 2005). Characteristics such as the importance of kinship networks and connections with ancestral territories are more meaningful. 'Land-rootedness' is often named as primary marker of Indigenous identities. Although many IPs are profoundly embedded in territoriality, we should be careful not to essentialize. Throughout history, IPs have been migratory peoples. Ancestral territory/ies and the connection to territory are thus not easily defined. Mostly, land-embeddedness implies a way of living of the land and in communion with the many layers and actors within a multidimensional territoriality (see Chapter 4). Lâm describes how for IPs, "their ability to survive as distinctive peoples is inextricably tied to their right to occupy their traditional territories and control their resources" (2004:130). While a statement about Native Americans from North America, this also holds true for the peoples of

South America, whose land has time and again been taken from them. By linking racial characteristics with 'inherent' negative qualities, "displacement of people has been justified as progress" (Rasmussen & Lund 2018:394). IPs have systematically been subjected to dispossessions, displacement, discrimination and (attempted) destruction of culture, language and identities. Peru and Atalaya are no exceptions to this. Because Indigenous worldviews challenge settler colonial self-justification, "[t]he negation of Indigenous views of history was a critical part of asserting colonial ideology" (Smith 1999:29). Acknowledging Indigenous visions and histories would have meant recognition of Indigenous people as humans with histories, thereby delegitimizing their own presence which was justified by the idea of the colonized land as '*terra nullius'* or empty no one's land.

The mechanisms put in place by settler colonialism, which is "a structure not an event", continue working today (Wolfe 2006:388). Continuing inferiorization of Indigenous knowledge systems, values and worldviews—and their 'being' in general—allows for societal disregard, causing poverty, denial of (political) rights, and cultural rejection (Greaves 2018). Still, the relation between IPs and state is based on reciprocity. Both sides have expectations and demands. The state co-regulates Indigenous communities and Indigenous communities co-shape the state. While very critical of the state and its treatment of IPs, Indigenous leader Guillermo Ñaco recognizes that "each of us is part of the *state*" (not to be confused with *government)* (interview 2019-10-01). Nevertheless, some citizen groups undeniably have less say than others and tensions between 'nation state' and 'Indigenous community/ies' play out on multiple levels. Settler society and modern state view IPs as hindrance to 'nation'-building. This 'Indigenous threat to the nation' is managed by denying them autonomy and by increasing dependence on state protection (Wolfe 2006). Duncan writes how "[c]lassifying minorities as primitives helps strip them of political identity and discourages them from participation on larger state projects". Pejorative labels are used "to deny autonomy to Indigenous minorities" (Duncan 2004:1). My correspondents used the word *anti-indigenismo* to group these still prevalent negative ideas about IPs. Furthermore, IPs are seen as obstacles to 'development'. One of Atalaya's landowners told me how, after considering handing over land "to some natives" to work it, he finally decided not to, because "the 'Indians' only work to eat" (interview 2019-10-28). The few hours of work per day necessary for subsistence do not meet the demands of endless growth. They "don't work hard", or rather, don't fit capitalist logic. Narratives of the 'lazy native' are pervasive. "The 'native' takes advantage, he doesn't work",

a lumber baron stated, followed by; “There are no sincere Indigenous people anymore. They only talk about money, while before, what they had was for all” (interview 2019-12-02). Years ago, this man was a *patrón* with many Indigenous labourers under his control, of which he is not ashamed: “Before, it was us tricking the *chama* [‘Shipibo’, but referring to Indigenous in general], now, the chama tricks us”.[8] Any self-reflection about his own role is absent.

Importantly, the construction of Indigeneity is not only a top-down, but also a bottom-up process, in which IPs themselves have agency. For starters, only those who share the Indigenous identity can confirm it. Furthermore, identifying as Indigenous is a form of resistance to (settler) colonialism. Alfred & Corntassel (2005) add to this that resistance is inherently part of being Indigenous. Indigeneity then emerges from the place-based struggle against the event of colonization and oppression. Also in Atalaya, re-claiming ancestral territories is Indigenous priority. With the appropriation of land as the settler state’s foundation, territorial reclamation is an act of anti-coloniality. Contemporary Indigenous conflicts and mobilizations are therefore related to the historical roots of colonialism, through (post)colonial continuities and continuous anti-colonial resistance (Acuña 2015).
While ‘Indigeneity’ can be both an imposed construct and a self-empowering identity, in truth, it is both, and more than either one. As Li writes; Indigeneity “has been woven from diverse threads that emerge from above and below in entanglements with capitalism” (2010:410).

More specific questions in relation to the case of Atalaya (What does Indigeneity entail in the context of Atalaya? Who decides about Indigeneity in Peru?) are elaborated on in Chapter 6, the introduction to the case study. The next chapter speaks about Indigenous territoriality, introducing Asháninka cosmology.

[8] *Patrónes* are feudal-like landlords.

4. TERRITORY AS A PLURIVERSE

> "The believe that we have, in truth, is that nature itself talks … We believe that God exists because in the hills, there is God. He who doesn't die, he who has no end… Those anthropologists were right: land is our life."
>
> (Carloz Perez Shuma in Narby 1989:259)

4.1. Transcending Nature/Culture

[quote p.1]

How can we sell the Earth if she never belonged to us? How can we sell our mother who gives us life? Betray her and betray all that share this life with us, by claiming parts of her for ourselves?

4.1.1. The Earth Mother

The oneness of all living beings is forgotten by Western (wo)man. We have locked ourselves away from our nature and we ourselves are the victims of it. Generations ago European witches, druids and others were guardians of this knowledge and of our humanity, of the ecologies we were ought to protect. American Indigenous cultures still have this old knowledge of connection to each other, the Earth and ourselves.

It is important to not romanticize or exoticize Indigenous peoples and cultures. Still, it is true that IPs have maintained a strong connection to this inner, spiritual knowledge and experience differently their place in nature. Yes, they have integrated capitalist ways of life—first, forcedly, then also voluntarily—but even in daily practicalities a degree of reverence for the Earth and what she gives us, remains present. At least, this was my experience communing with community members and others from Indigenous descent. When harvesting cacao—also when in in monoculture plantations—they know they are to thank the Earth for this. Not a

single Amazonian has never set foot on an agricultural field or has not helped out a family member on his farm, whereas many of us Westerners do not know the origins of our food. Also religion connects into this narrative. An Indigenous friend told me that "God shows himself to us in everything around". It took me time to understand that 'God' shows and expresses itself through a universal love in every moment of life, in our food and water, and in our being itself. Indigenous and other spiritual traditions' views of Pachamama, Dios, Mother Earth—while extremely diverse—see spirit and soul all around us. Theirs is an **animist worldview**: they experience a world full of animated beings who are in relation to each other.

Spiritual understandings are important to consider, in itself, and because actions and meanings have their origins here. So does the meaning of 'land'. What is land—or; what does land mean? Land is the top layer of the Earth (but more), which is magical as we sow seeds and are given food. We bathe ourselves and drink from her waters. Hers is an astonishing abundance. "My God is the Sun and the Earth", an Asháninka *comunero* (community member) told me. It is only logical for religion to show reverence to 'Mother Nature', who is found in all of us humans, for we are her extensions. Indigenous leader Bernardo Silva—called Tyontyori, a name given to him when his mother found her new-born looking like a *tyontyori* or hedgehog—told me:

> "The Earth is like a mother who gives us to eat. She is sown and she produces. Gives medicine. Leaves to make houses. The mother loves. She feeds and heals. The Earth gives us everything, and when we die we go to her."
>
> (interview 2019-09-14)

He added, playfully, "Like I feed my chicken [to later eat them]".

4.1.2. Pluriversal territory

Land is the basis of our existence. All sustenance is "drawn from the soil, either directly or indirectly" (Hoebel 1949:331). Yet, Indigenous spiritual approaches contrast with Western, capitalist worldviews (although this distinction is never absolute and meanings are in constant

transformation). The 'white man's vision' is very different—or has grown to be different, as representatives of alternative, animist visions were eradicated.

> "The Earth is not a sister to the white man, but his enemy. When he has conquered her, he moves on. But all things are connected. What happens to the Earth, happens to the Earth's children."
>
> (Galeano 1994:181, own translation)

By placing fences, the white man has made land into property. This land that was intangible territory, not to own but to care for. Indigenous rhetoric speaks of 'territory' instead of 'land' (*territorio* instead of *tierra*). Scholars, Indigenous and non-Indigenous, as well as Indigenous organizations and individuals, write how territory for IPs is more than the land alone. Peruvian national IO AIDESEP states that, while for Western society, the Earth is one's property when titled and registered, for IPs the only owner is the '*madre de la tierra'* or Earth Mother (Espinosa 2010). For the market, "land's value is recognized in monetary and commercial terms, while for us, Indigenous people, the land has a spiritual and sacred importance" (AIDESEP in Espinosa 2010:251, own translation). Indigenous conceptions of 'territory' are always evolving, but certain aspects persist. As described by COICA (Coordinating Body of Indigenous Peoples' Organizations of the Amazon Basin), territoriality cannot be reduced to a mere dwelling place, but is all-encompassing and inextricably linked to biodiversity, Indigenous culture and knowledges (Ramos 2006).

Territory is a concept capable of grasping the *integrity* of land within the interconnected ecosystem with all its elements. Territory was there before and after us, traversing us, and cannot be measured as "its image nears itself to the idea of infinite" (Prada Alcoreza 1996:33-37, in Delgado-P. 2009). Indigenous territory is a multidimensional integrality, endowed with not only economic but also ecological, social and spiritual meanings—meanings which cannot be valued separately. By placing everything and everyone (spirit, human, animal, plant, elements …) in relation to and in communion with each other, territory is what links all dimensions; where they meet (Harvey 2017). Western man overlooks this connectedness and fails to have a holistic perspective. This wholeness is a synergy, holding more than its separate parts. By blinding ourselves to this, we have become poor. For IPs, the integrality of their

territory makes that its division—of values and meanings, and in plots or according to functions—harms its essence.

This approach of territory fits within the idea of the ***pluriverse***. Arturo Escobar describes Indigenous territories as pluriversal; they foster the co-existence of multiple worlds. The occupation of these territories by capital and state entails an occupation by a particular ontology "of individuals, expert knowledge, and markets" (245). An occupation by the singular 'one-world world' (OWW) —a concept introduced by Law (2011)—with no room for alternative ontologies and knowledges. The OWW is an ontology where there is only 'one world' and 'one truth'—thus dismissing other ontologies as mere 'beliefs' and imposing its understanding of land, property, life as the only reality. By presenting it as exclusive, its adherents feel justified to dominate and assimilate all other worlds. This (Western) OWW has a dualist philosophy of opposing nature and culture, where human dominance over 'nature'—reduced to 'inert space' or 'resources to be extracted'—is the logical way of life. This artificial Nature/Culture divide alienates humanity from its own nature and from the Earth.

> "The old Lakota was wise. He knew that man's heart away from nature becomes hard; he knew that lack of respect for growing, living things soon led to lack of respect for humans too."
>
> (Luther Standing Bear in Vaughan-Lee 2017:107)

Harvey (2017) describes how Western man cannot understand the aliveness of what he perceives as 'objects', including land. Western discourse created dualisms, first of spirit and matter, then of mind and matter. This allowed for the commodification of land, as they could no longer see the life it holds. Indigenous cosmovisions on the other hand are non-dualist and relational.[9] Hierro and Surrallés (2004) analyse Indigenous territory as a space of social relations, not only between humans but with all elements of the ecosystem. The Lakota phrase 'All My Relations' illustrates this: in many Indigenous cultures, the different non-human

[9] Non-dualism entails that matter and spirit are not separated. All matter holds spirit. One can go further and state that all matter springs from spirit. Many spiritual traditions speak about this.

ecosystem actors are called ‘relations’—interacting actors within a complex whole. Every being enables the existence of all other beings. The Indigenous territory consists of all these elements in dynamic interaction and is therefore a “fabric in process of constant constitution and reconstitution” (Hierro & Surrallés 2004:21, own translation).

Also in the contemporary Western world, alternative, non-dualist philosophies exist. Lovelock’s concept of Gaia is a prominent one; he perceives of “man as a part of, or partner in, a very democratic entity” (Lovelock 1979:145). Latour (2017) elaborated on this and sees Gaia as a holistic, dynamic and complex totality of living beings and matters. He wants to transcend the Nature/Culture divide and states how nature and culture only exist in relation to on another, as two parts of the same concept. You could also state that it is impossible to speak of nature or culture, as it is impossible to place things in either one of those categories; they are the same. Modern (Western) scientists, politicians, ecologists and all alike, equal culture/nature to human/non-human—however, to oppose ‘human’ to ‘nature’ is a contradiction. Humanity is culture and humanity is nature. Yet, our ‘modernity’ is based on the idea that we exist separately from nature, which we are to dominate and use. Latour challenges this by focusing on our being part of Gaia, where humans are actor among other actors. Clearly, these ideas are not new, but parallel Indigenous cosmologies—albeit less spiritually-inspired, which might make the concept of Gaia easier to grasp for a Western public, but also reveals an inherent racist bias which readily dismisses spiritual-based, non-Western ontologies and prefers to listen to a Western scientist proclaiming the exact same truth, with other words.



Figure 1. Traces of insect life. Source: Myrah Vandermeulen.

Thomas Berry, an influential author in Earth-based spiritual ecology, laments that 'we', European colonizers, "desired to teach them our ways, never thinking that they could teach us theirs … We never experienced this land as they did—as a living presence not primarily to be used but to be revered and communed with" (Vaughan-Lee 2017:65). IPs are the pioneers of deep ecology and their cosmologies are foundational for **Spiritual Ecology**—the movement connecting spiritualism with environmentalism. From this viewpoint, ecology means "the relationship between living beings and the living land" (Suler 2020). Ecological conscience is built into the Asháninka belief system. In their animist cosmovision, all beings have an equally shaped soul (Santos-Granero & Barclay 2011). They therefore consider all living creatures 'people'. These 'human' souls exist as the external protectors of animal and plant species and punish those who overexploit or kill their children in vain. It is thus only natural for the Asháninka to keep a balance between species. (Depredation would disrupt the world.) Asháninka leader Ñaco explains that even talking badly about a plant or animal will attract harm (interview 2019-10-01). All is interconnected, and humans and non-humans deserve equal respect. IP's experience of this interconnectedness ensures their embeddedness in local ecologies. Their identities are grounded in the natural environment (Whiteman 2009). This implies that changes to the environment affect Indigenous identity/ies. Cocklin writes how "degradation of the environment is … inseparable from a loss of culture and hence identity" (2002:159). This does not mean that IP are exempt from harming the environment. In Atalaya, as elsewhere, IP participate in timber extraction, leading to forest destruction. Logging is a

topic which exposes divergences within Indigenous groups and impacts Indigenous group identity, reminding us of how this identity is never homogeneous and overlaps with other (individual and group) identities. However, while at first Atalayan Indigenous communities were impressed by the amounts of money offered to them, after seeing long-term consequences such as destruction of their environment (and life source), an increasing number of communities resist timber extraction. For these groups, this refusal has become a source of pride: "Us *indígenas*, are the guardians of clean air, life, water". What Escobar writes holds true: "Within relational worlds, the defense of territory, life, and the commons are one and the same" (2017:245).

4.2. Frontiers of Linear Space

4.2.1. Private property

One of colonization's strategies was the privatization of nature. A process of 'primitive accumulation' first dispossessed European peasants, turning them into wage labourers and turning the commons into private property, and was then repeated in the colonies (Marx 1981). Primitive accumulation is capitalism's foundational condition; therefore, capitalism is always colonial. Colonization, slavery etcetera, often perceived as 'of the past', played/play a huge role in constituting today's 'modernity', thus being equally modern.[10] This is the premise of the Grupo Modernidad/Colonialidad: coloniality and modernity are co-constitutive (Mignolo 2005). The coloniality of power, with racist power relations (based on appropriation of land) and invisibilization of Indigenous worlds, is continued as an important part of contemporary capitalism (Quijano 2007). Moreover, what is called 'progress' today, is a continuation of colonial practices of commodification of land, natural resources, people, and all that rests (Delgado-P. 2009).

Private property and privatization, the practices of a colonial logic and primary sources of dispossession in both Western and non-Western world, are also the foundations of Western

[10] See also Amin 1957, who describes relationships between 'centre' and 'periphery' of global capitalism, which exist only in relation to each other and are equally modern.

modes of ownership (Bhandar 2018). This functions through formalized legal property systems to govern land (Bhandar 2018). Colonial settlers acquired land simply by seizing it and proclaiming oneself owner, legitimized by an overlord, such as the Spanish crown (Wallerstein 2012). The original inhabitants were ignored—inferiorization justifying displacement—and their lands called *terra nullius*. Settlers were seen as 'developing' the land. John Locke's philosophy was a source of inspiration here. According to him, labour could exclude land from the commons. Land was given by God "to the use of the industrious and rational" and labour "was to be [men's] title to it" (Locke 2014). In the eyes of the colonizers, Indigenous people did not make 'productive use' of land, which legitimized Indigenous dispossession. This ideology is still dominant in today's Peru and Atalaya. Land needs to be 'productive', according to economic standards. This attitude and widespread anti-indigenismo ensure that the size of Indigenous land titles is often questioned: 'What do they need so much land for?' (see 7.3.2.).



Figure 2. A children's drawing of the communal territory, on a house in CN Chengari. Source: Myrah Vandermeulen.

Indigenous territory is a group's life source, in a spiritual but also in a practical sense, providing for communities' subsistence production and reproduction needs (Burneo 2018). From the Western categorizing perspective, this would be defined as the economic dimension (although cultural and social components are equally part of it). Through colonization and imposition of the OWW, Western property strategies separate land's economic value from its spiritual and social and ecological values. In the externalization of costs and its disastrous consequences for our planet we see how this separation is solely theoretical. We see many

cases of Indigenous resistance to extractivism; while economically rewarding, it comes with enormous costs. In Indigenous holistic worldviews, economic value cannot be separated from social, spiritual and ecological dimensions. While the modernist framework attempts to translate these values into economic value, polluted rivers, loss of food sources and sacred spaces and health are incommensurable to monetary value. Western society has forgotten that market society is an ideology and no inherent human way of life—exclusive nor universal. 'Economic man' does not exist, Polanyi states. Humans are social beings and do not live according to purely rational motives such as profit. Economy should be "submerged in … social relations" instead of determining them (Polanyi 1944:48). Likewise, property should be a means to an end, not the end itself. IPs who live accordingly, are easily perceived as 'lazy' within market-oriented economy, bolstered by racist biases.

Naturally, land visions are evolving and contemporary Asháninka sometimes adhere to more capitalist notions of land (Narby 1989; Burneo 2018). Atalaya's people now also emphasize land's 'productive' importance, and territory's multidimensionality is mostly left unpronounced. Some speak about it. Others leave it unspoken but embody it in their daily lives; yet others do not feel strongly connected to the territory. Many divergent views reside within and between communities. Indigenous groups have been forced to adapt and (re)shape themselves within the modern state framework of colonial capitalism. However, this is not a one-sided process: Indigenous groups also transform the dominant framework, shaping modernity. There is interaction and reciprocity. Communal land titles could be seen as a result of this interaction—a bridging of ontologies? However, as Wallerstein states, "legitimating ownership by legal title is a fundamental process of the capitalist world-economy" (2012:8) Land titles, even communal, always emerge within a capitalist ontology to convert land into a tradable commodity (Cottyn 2014). Territorial imaginations and limits are no novelty to IPs, but within the lived interconnectedness which also supersedes past, present and future, land was in *temporary use*, to be kept save for coming generations. A group could have right of use of their territory, but this did not mean *owning* this land. These territorial rights have now been translated into property rights. Although land remains a peculiar commodity—finite and fixed in place—land titling is as such the final step of land commodification (Li 2014). What was previously a common resource, is now owned by individuals, companies, state or communities. Furthermore, land titling is a strategy of controlling space, resources and people (Rasmussen

& Lund 2018). Once intangible land, a mother without divisions but with dynamic territories, has been plotted and categorized.

4.2.2. Land titling

The fact that, in this modernity, all we need is a land title recognized by an authority to call ourselves proprietors, has belittled our relationship to place (LaDuke in Vaughan-Lee 2017). Native American activist Winona LaDuke writes how this absolves us from all responsibility, and we are left with "only a sense of entitlement—to mineral rights, water rights, and private property—enshrined in the constitution" (Vaughan-Lee 2017:93). Extractivism is part of the replacement of the pluriverse's many worlds by the assimilationist OWW. It is a continuation of the 'terra nullius' doctrine; by emptying spaces of other realities—transforming fertile valleys into open-pit mines, erasing forests for monoculture plantations, opening the Earth's veins for oil—it makes space for the expansion of the OWW, substituting pluralism by fictitious uniformity (Blaser & de la Cadena 2018; Cottyn 2014). Mapuche leader Moira Millán calls this '*terricidio'*: the destruction of multidimensional territory and life, the replacement of the 'sacred circle of life' by a pyramid with humans on top (Herrera 2019). Indigenous knowledge systems and land rights impeded the imposition of Western categorization, hence had to disappear. Monoculture and Western OWW has become the norm—all else anomaly.

> "Dominant scientific knowledge thus breeds a monoculture of the mind by making space for local alternatives disappear, very much like monocultures of introduced plant varieties leading to the displacement and destruction of local diversity."
>
> (Vandana Shiva 1995:12)

Land titling pushes forward the frontier of capitalist expansion, where so-called 'civilization' meets 'primitivity', 'development' meets 'wilderness'. This frontier or contact zone marks the transformation of multidimensional nature into loose, separated 'resources' (Tsing 2011). To *make* resources, to turn land into a productive resource, "requires regimes of exclusion that distinguish legitimate from illegitimate uses and users, and the inscribing of boundaries through devices such as fences, title deeds, laws, zones, regulations, landmarks and story-lines" (Li 2014:589). As discussed, the occupation of territories by state, by capital, is

fundamentally an ontological occupation. Titles are part of this occupation; territorial complexity is neglected and fit into a linear model, a map, which is necessarily an approximation. Buhner (2004) gives the example of a coastline: if one would follow all of its the ragged edges, the line would be infinite. By calculating its length, its reality is altered. Modern linear thinking always makes estimations of reality, instead of seeing reality—because nature and reality cannot be made linear. This parallels Scott's theory of state formation and modernity: complex reality is simplified and homogenized to become legible, to facilitate exerting control. Pluriverse/pluralism is replaced by OWW/uniformity. However, this linear uniformity is a utopian fiction with no relation to—always complex and plural—reality (Scott 1998). While pretending to be objective, modern linear models are highly subjective, "appl[ying] a linear, static mode of cognition to a nonlinear, always changing and flowing reality" (Buhner 2004:22). As these models are deeply installed in our consciousness, we actually perceive nature to be made of 'resources' and surfaces to-be-mapped.

When Indigenous communities obtain land rights through communal land titling, these titles therefore cannot truly grasp Indigenous (nonlinear) conceptions of territory. Although a continuation of spatial boundary-making strategies, an important difference lies in these titles being *communal.* Communal land titles partly exclude land from the regular market. Yet, this aspect is often countered by extractivist lobbies who ensure delay and neglect of Indigenous land titling. Furthermore, the granting of communal land rights is sometimes analysed as the state 'supporting' IPs. However, we should not forget that these lands were always theirs, while the state is recent. Land rights are a recognition of Indigenous birth rights. The granting of land rights by the state could even be analysed as an act of *expropriation*, for it is accompanied by the appropriation of all untitled land by the state—land which is also part of ancestral Asháninka territory.

While attempting to bridge ontologies, the institution of land titles does not sprout from Indigenous views. The challenges that spring from this divergence are discussed in the case-study. Yet, land titling is priority for IPs, as a necessary tool to protect their territories. In Part II of this thesis—starting with my research methodology—I explore the territorial situation of Atalaya's IPs, focusing on the institution of communal land titles and territorial conflicts, in relation to the discussed themes.

PART III: TERRITORIAL COMPLEXITY IN ATALAYA

5. METHODOLOGY II: FIELD WORK

The findings in this dissertation are based on qualitative, ethnographic research. From August to December 2019, I lived in Peru, between the cities of Pucallpa and Atalaya, both in the Ucayali department. I started my stay in Pucallpa, the department capital where most state institutions are based, and made two long visits to Atalaya. As I aim to demonstrate and explain divergences, as well as encounters and negotiation between statist and Indigenous perspectives, it was important to talk to a large variety of actors. I conducted interviews, had a great many informal conversations and performed participative observation in various contexts. Fieldwork was conducted in Spanish. At one occasion, I was accompanied by a translator—a confident of the interviewee, who chose to speak in Asháninka. Both for me and for many of my informants, Spanish is a second language, which means that subtleties and nuances might have gone lost (language only being one factor here, as explained in Chapter 2). As I was constantly moving between a Shipibo centre (Pucallpa) and an Asháninka centre (Atalaya), and spent considerable time in Ashéninka communities (around Oventeni), it was difficult to learn an Indigenous language. The shortness of my stay further complicated this. If I ever do further research, I would study local languages.

Most interviews were semi-structured deep interviews (based on a topic list), between one and three hours long. I audio-recorded with my smartphone, for which I asked consent beforehand. At times recording was impossible due to background noise (such as when interviewing a female leader while she was working at the market). I also took notes during the interviews. When this was difficult or inappropriate, I did so immediately after the interview. Before boat-traveling, I would take photos of my notes and upload them to Google Drive, together with the audio files—in case an accident would happen. Furthermore, I also had many informal conversations and many—planned and spontaneous—interesting encounters and experiences. When I returned home in the evenings, I wrote down my impressions of the day and any interesting conversation I might have had.

In Pucallpa, Lily La Torre Lopez, who works for the *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ) or German Society for International Cooperation, was my key contact. As an Indigenous rights lawyer, she had many insights on Peru's IPs' (legal) situation. Our conversations broadened my understanding of the Peruvian and Ucayalian context. She also invited me to a three-day workshop on the topic of land titling, organized by GIZ and addressed to employees of various state institutions.

Those first weeks, I worked as a volunteer in the *Gerencia de Desarrollo de Pueblos Indígenas* (GDPI) or Direction for the Development of Indigenous Peoples. This helped to develop understanding of the situation of IPs in Ucayali, and to learn about a governmental institution from within. The GDPI employees provided me with access to official documents and shared their own knowledge with me. The GDPI is still a young institution on a low budget and is therefore welcoming all support. I contributed to a report on Atalayan Indigenous federations, which motivated my first trip to Atalaya.



Figure 3. Workshop URPIA on Community Forest Management. Source: Myrah Vandermeulen.

On September 8, I travelled to Atalaya. As I tried to keep my domestic air travel to a minimum, I went by boat—called a *rápido* (fast boat). Indeed, *rápidos* are considerably faster than the 10 days it took to reach Atalaya up until 10 years ago, but the trip still makes for 20 hours in a tube-like boat.

In Atalaya, the director of the Agrarian Office opened his doors to me. This is the regional office of the departmental *Dirección Regional Sectorial Agricultura Ucayali* (DRAU – Regional Directorate of Agriculture of Ucayali), commonly called 'Agricultura'. In August 2019, the Area of Native Communities (ANC)—a subdepartment of DRAU—was also given a local office in Atalaya. Previous DRAU director Isaac Huamán, now imprisoned for corruption, did not prioritize Indigenous communities. The new director changed DRAU's approach and sent Nerio Reategui as ANC representative to Atalaya. Throughout my months in Atalaya, Reategui helped me deepen my understanding by talking me through Atalaya's complexity. I accompanied him on several field trips, such as conflict mediating meetings between communities, as well as meetings about georeferencing and land titling.[11] The contacts I made during these meetings were very valuable for my later fieldwork; participating community leaders agreed to personal interviews and invited me to visit their communities. Even to only be present in the Agrarian Office was interesting, as I could observe how community members came to ask advice and how functionaries attempted to resolve their (frequently territorial) issues. A local ANC office was long requested by Atalaya's IOs, and no luxury, considering the many territorial issues. Before, Indigenous comuneros had been obliged to make the costly trip to Pucallpa for every legal question. Since the ANC's arrival to Atalaya, each day many people pass by the office; it has become easier for them to access state support.

For my work with the GDPI, I conducted semi-structured interviews with presidents of over 10 Indigenous federations, together with a GDPI lawyer. My position within this state institution was of great help for my research, as this opened doors and encouraged people to talk to me. The contact with the presidents of IOs then allowed me to visit their communities and be invited to workshops. So, I attended a workshop on community forest management, organized by the regional Indigenous federation URPIA (Unión Regional de los Pueblos Indígenas de la Amazonia de la Provincia de Atalaya). During this three-day event, I conducted several interviews with Indigenous community leaders. I also participated in a workshop for Indigenous women, organized by the National Organisation of Andean and Amazonian Women in Peru (ONAMIAP), which allowed me to interview more female leaders.

[11] Georeferencing is a technology which allows to map coordinates with GPS technology, to enable the comparison of aerial photographs with exact maps. This will be implemented in Atalaya. Until now, only the community of Sepahua has been georeferenced.



Figure 4. Workshop by ONAMIAP. Source: Myrah Vandermeulen.

Additionally, I visited various governmental institutions, such as the Forest and Wildlife Resources Supervisory Agency (OSINFOR) and Atalaya's Operational Seat of the National Forest and Wildlife Service (SOFFSA). I was invited to two OSINFOR workshops; on communal forest management, for comuneros, and on recognition of forestry species. The latter was addressed to forestry engineering students of university UCSS Nopoki, an interesting group which otherwise I would not have encountered.

The information you get from an interview with someone you talk to once, is less complete than what you learn from knowing someone over an extension of time. My field work context was therefore ideal. The legal 'scenery' of territoriality in Atalaya is relatively close-knit. Many meetings and workshops are organized with the same group of participants: community leaders who lack land title, are in conflict or wish to solicit georeferencing; federations representatives; and representatives from DRAU, SOFFSA, OSINFOR and other (governmental and non-governmental) institutions. After some weeks, I was a known face to many and I kept running into the same people. With many of them I established friendly relations, which allowed me to talk with them on many occasions and dive deeper into certain subjects. This permitted speaking about the topic of land titling, and about certain specific situations, with people from all over the spectrum, who also knew each other and often

contradicted one another. This did not make the research easier—quite the contrary—but definitely enriched it.

After 31 interviews in three weeks, I returned to Pucallpa, where I interviewed functionaries from various government institutions, as well as representatives from NGOs, the GIZ and Indigenous federations. I also volunteered with Alianza Arkana, an NGO working with Shipibo communities. Although not directly linked with my research, this expanded my views on land use by Indigenous communities and allowed me to have interesting conversations on the topics of land and cosmology. Although Shipibo and Asháninka communities vary considerably, the struggles and legal obstacles they deal with are similar. When I travelled to Atalaya again, I planned to spend time in some 'Native Communities'—the official term for Indigenous communities, corresponding to the Peruvian legal concept of *Comunidad Nativa* (see 7.3.1.)—and learn from participant observation rather than from interviews. I first visited the community of Antamishi de Oro, affiliated with FABU (Federación Asháninka del Bajo Urubamba), where I stayed for three days, during which I also visited neighbouring community Selva Virgen.



Figure 5. Field trip with CEDIA. Source: Myrah Vandermeulen.

Afterwards, I was invited to accompany a team of NGO CEDIA (Centro para el Desarrollo del Indígena Amazónico) on a fieldtrip to Oventeni, Gran Pajonal's central and only town. Oventeni is a six-hour bumpy ride away from Atalaya town, and much smaller than Atalaya. While you sometimes see barefoot Asháninka families passing through Atalaya town, in

Oventeni it is much more common to see people in traditional *cushmas*. Even Oventeni's few night clubs are packed with Ashéninkas in traditional attire. With two motorcycles, we departed with famous Indigenous leader Miguel Camaiteri as our guide. We visited eight communities on a ten-day trip. This was in the framework of CEDIA's territorial examination to gather information on existing needs, conflicts, and demands in communities. Government and NGOs lacked most of this crucial information. This investigation—as a preparation for state action—was a response to the 2018 strike. For me this trip was, again, a great opportunity to acquaint the government's working and cooperation with NGOs, as well as to learn from the communities. Some of the visits were very quick, others lasted for a day. The many hours conversing with Miguel Camaiteri were invaluable. Furthermore, the days spent in Oventeni also proved important as I conducted interviews with local non-Indigenous landowners and learned about the context of Gran Pajonal through informal conversations.
While in Atalaya-town, I 'couch-surfed' in the house of an acquaintance, who happened to be the grandson of Atalaya's first timber lord and city mayor. Our conversations gave me new insights. After returning to Pucallpa I also talked to his grandfather.

In December, I left Peru.

During my field research, some ethical questions came up. Although I always clarified my objective and position as a student, some people believed I worked for an NGO, if not for the government, due to my presence at official events and meetings, and in the Agrarian Office. My white skin colour contributed to this. Even when explaining my research motivations, my European origin led people to think I was an 'important person' who could help them in some way, to obtain a land title for example. Other identity markers also had implications for the research. Being a young white woman brought me both difficulties and advantages, although most difficulties could be turned into advantages. I believe people took me less seriously, but also trusted me more easily for it, as I was not perceived a threat. Being a woman, male attention was never lacking, which facilitated networking. Additionally, when conducting an interview, I would not pick a side, which might have led people to (wrongfully) believe I was on theirs—this is probably the case for some suspected 'land traffickers', who told me their (possibly invented) side of the story. It was not easy to untangle the many contradicting stories. Naturally, informants could choose to remain anonymous and, to protect my informants, I have decided to anonymize certain situations and examples. A list of all interviews and workshops

can be found in Appendix 1, and guiding questions for the semi-structured interviews in Appendix 2.

6. SITUATING ATALAYA

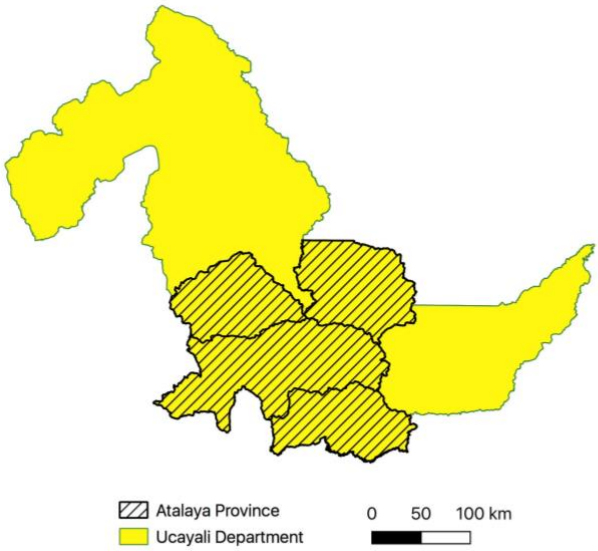


Figure 6. Map of Ucayali. Source: SOFFSA.

The first time I went to Atalaya, I was accompanied by Nerio Reategui, who works for the ANC (Area of Native Communities) in Atalaya. During the long boat trip, we passed huge timber-piles and ships transporting 4-meter diameter trunks. This visibilized the importance of the timber industry. Most of Ucayali's wood originates in Atalaya, which is one of Peru's most productive forestry regions (World Bank 2018). The foundation of the town of Atalaya, capital of its namesake province, is a consequence of the timber industry as well as the rubber boom. The original inhabitants of these forest lands are Indigenous groups, who struggle to safeguard their territories today. This research focuses on these communities; their worldviews, territories and lived experiences.

In this chapter, I write about the history of Atalaya's IPs in relation to colonization and exploitation. The related history of Gran Pajonal, the Great Grasslands—a region with open natural meadows—is also discussed. I draw on interviews with key actors, and on Søren Hvalkof's historical account, based on his own experiences and research. He describes the cycles of colonization and resistance for this region, which repeat "the same pattern of attempted colonization, enclosure and elimination of the frontier, ending in failure, collapse—and reconstruction" (2008:242). The book *Liberation through land rights in the Peruvian Amazon,* co-authored by Hvalkof, Pedro García Hierro and Andrew Gray, is another great

source of information, as are the autobiographical narrations of Indigenous leaders (some of whom I have had the honour to meet), compiled by Hanne Veber (2009).

6.1. Indigeneity in Atalaya

Of Atalaya's 47,000 inhabitants, 65% self-identifies as Indigenous, most of them part of three ethnic groups: the Asháninka, Yine, and Ashéninka, followed by Yanesha and Matsiguenga (World Bank 2017). These are all subgroups of the Arawakan ethno-linguistic family, today's largest group in the Peruvian Amazon. Previously lumped together by the offensive term '*campa'* (derived from the Quechua word for 'lousy'), today, each Indigenous group is referred to by their auto-denomination. In the Asháninka language, 'A-sháninka' means 'our family', 'our fellows' (Narby 1989).

In Peru, the decision to identify as Indigenous lays with the people themselves, in accordance with the International Labour Organization's Convention (ILO) 169 which made cultural self-identification the principal condition for recognition of an Indigenous community. Yet, self-identification is not fully free or neutral, but constrained by certain limitations (so-called objective criteria to determine whether a group is Indigenous, such as cultural and social characteristics, language etcetera) and negative judgements of Indigeneity (Campanera 2012). Because of negative connotations of the term '*nativa'*, people preferred to identify as '*campesina'* or peasant, another juridical category. Collective and individual self-identification (as Indigenous, 'peasant', non-Indigenous or of mixed descent) is dynamic, and over time, Indigenous self-identification evolved into a strategical choice. More recently it has become a proud expression of identity. Communities who did not call themselves 'Indigenous', hiding their ethnicity, now proudly (re)claim their Indigeneity. The 'Native Communities Law' (see 7.1.), which permits Indigenous groups to demand land titles, played a huge role, as did the Indigenous movement's rise. Additionally, ILO 169, established in 1989, rejected previous development ideologies' assimilationist tendencies, instead emphasizing respect for Indigenous cultural integrity and promoting Indigenous participation in society and development projects (Anthias & Radcliffe 2015). Slowly, Indigenous (self)perception changed and words lost their negative force.

The community of Tres Colinas in Atalaya is an example of a group which changed their self-identification. Although this community exists since 1914, albeit at first in a very different form, they only requested recognition as Native Community in 2015. Susana Silva, president of FABU, states that "before, comuneros wanted to live like *mestizos* [people of mixed descent]", in a village, not a community (interview 2019-09-19). This was at least partly due to negative associations with being 'Indigenous'. Racial hierarchy undeniably played a role, as Tres Colinas used to be a *hacienda* (farm estate) of a patron with European roots, with Indigenous laboureres. Furthermore, before, there was no need for a land title (interview 2019-09-25). Only after newcomers started encroaching, did they consider the formalization of their land—necessarily accompanied with self-identification as Indigenous.

As described in Chapter 3, Indigeneity is commonly accepted to be marked by an ontological connection to (ancestral) territory. Peruvian national organization AIDESEP sees no future for IPs without territorial recuperation, and also Atalaya's IOs proclaim this connection and let it guide their fight for territorial recuperation (Chapter 9). However, Gilberto, an Indigenous state official I spoke with, disagreed with this stance. According to him, IPs—many of whom left their territories when colonizers arrived—have irrevocably lost their lands to settlers, and there is no way to recover them as this would lead to chaos and new displacements. While he identifies with his cultural heritage and with a community, he chooses to not identify with 'the ancestral territory'. Throughout my field research, I noticed that Indigenous people working for the state do not usually uphold the notion of 'Indigenous territoriality'. Their government role seems to prevail. Yet, as identities are not singular, perspectives and conceptions shift as individuals move between roles. Other Indigenous informants did feel connected to ancestral territoriality, stating that, for them, being Indigenous meant to 'live ancestral culture', 'live with the forest', 'protect water, air and life', and 'live on ancestral territory'.

While people experience their 'Indigeneity' in myriad ways, there is—today, finally—much pride in 'being Indigenous', with a sense of unity, and strength in this unity. The birth and growth of Indigenous movements in the 1970s-1980s has encouraged this by accentuating common demands, such as autonomy, cultural valorisation, self-defence and territorial security (Anthias & Radcliffe 2015). Yet, it is also important to recognize that each ethnic group has its own identity and culture. Non-Indigenous people often lack knowledge of the variety of

ethnicities. So, on CEDIA's field trip to Gran Pajonal, our 'mestizo' team-member expected our Shipibo colleague to speak Ashéninka—a completely different language. Dominant (settler) society often lumps IPs together as one homogeneous category, instead of listening to groups' varying needs. Additionally, also within ethnic groups, divisions exist. While there is a clear sense of 'being Asháninka', the Asháninka people are fragmented by the division in 'Native Communities' (Chapter 7), and within those communities, opinions and interests vary too. Nevertheless, (self-)identification as Indigenous generally outweighs internal divisions, more so when confronted with non-Indigenous people and laws or institutions that work against Indigenous interests. An example is how the Shipibo lawyer, who was my colleague in the GDPI, was called '*hermano'* (brother) by Asháninka interviewees, although of different ethnicity and region. This unity and bond is strengthened by the realization that IPs have all endured similar oppressions, such as colonial domination, exploitation and dispossession (Acuña 2015). The next section discusses how these oppressions developed in Atalaya.

6.2. History of settler colonization and exploitation



Figure 7. Map showing Atalaya and Gran Pajonal. Source: Hvalkof 2008.

When missionaries first arrived in Ucayali, mid-17th century, local people were interested in trading tools, but did not allow foreigners to take control. They remained cautious for diseases and religious impositions. Only in the 18th century missionaries managed to establish settlements in the Selva Central in Ucayali (Santos-Granero 1987). They were Franciscans, granted exclusive 'rights' to 'civilize' the Amazon by the Spanish Crown. They arrived backed by soldiers and accompanied by settler groups of Spanish colonists, Indigenous highlanders and mestizos. In attempts to obtain territorial control and push the colonist frontier forward, frictions arose and local uprisings were frequent (Tsing 2011). In one such rebellion, in 1742, Indigenous militia forced all missions and settlers to leave the central forest (Hvalkof 2008). This rebellion reinforced the image of the Asháninka and Ashéninka as groups hostile to 'civilization'—Andean peoples told stories of this inaccessible region with its fierce

inhabitants already before Spanish colonization. Atalaya thus gained the name of "*tierra de los salvajes*". The region was closed to colonization for many more years.

Mid-19th century, with the support of the Spanish Crown, the Franciscans succeeded in recolonizing the Selva Central, including Atalaya.[12] An underlying objective was to connect coast, mountains and jungle and open this area for colonization, development and trade (Hierro et al. 1998). After Peru's independence in 1821, the new Republic of Peru continued the colonization of the Amazon (but expelled the missionaries). This took on new sizes with the introduction of steamboats in the 1850s, facilitating expansion of the frontier (Hvalkof 2008). The experts of this area were the 'Indians'; they knew how to navigate the rivers, which made them a necessary ally/asset for establishing control. However, they were not approached as fellow humans, but turned into another commodity. In the consequential extractive booms—first of Sarsaparilla root (a medicinal plant), then of rubber, cash crops and timber—cultivation and extraction happened through indentured labour.

> "In the civilization of savage capitalism, the right to property is more important than the right to life. People are worth less than things."
> (Eduardo Galeano 1994:133, own translation)

With the rubber boom (1880-1915), the commodification of people reached a peak. European investors invaded the Amazon and established a feudal-like system with Indigenous people in debt bondage and even chattel slavery. Different Indigenous groups were played out against each other as rubber patrons made Indigenous men conduct slave-raids or *correrías*, guaranteeing a steady supply of new slaves.[13] When the rubber boom came to an end, it left behind depopulated regions and internally divided IPs with destructed social networks. This

[12] In this chapter, when I speak of 'Atalaya', this is the region of the Upper Ucayali river basin, closest to Atalaya town. This is to differentiate from the region of Gran Pajonal. Further in this dissertation, Atalaya refers to the Atalaya province in general (of which Gran Pajonal is part), unless otherwise stated.

[13] Correrías continued until the 1960s. One of Atalaya's great Indigenous leaders, Bernardo Silva, recalls how his brother was taken in one when he was young (interview 2019-09-14). He and his other siblings barely escaped.

was when the Franciscan orders re-entered. They founded missions in Atalaya and Gran Pajonal. While Gran Pajonal was less devastated by the rubber horror than Atalaya, the two regions were linked by exploitative relations (Hvalkof 2008). Patrons from Atalaya employed Indigenous labour from Gran Pajonal and slave trade happened over old trading routes.



Figure 8. View of community in Gran Pajonal. Source: Myrah Vandermeulen.

After the rubber boom, the Peruvian state encouraged settlers, large corporations and land speculators to enter the rainforest. New settlers and old rubber barons established haciendas producing cotton, coffee and cacao, again dependent on Indigenous indentured labour (Hierro et al. 1998). Missionaries had a supporting role in the slave system, 'disciplining' the Indigenous population, taking children away from their parents to civilize them into servitude. The extraction of tropical hard wood commenced. Atalaya's first lumber baron came from Iquitos in 1943, and bought the land from the government. This was Julio Pezo. His great-grandson tells me: "Some people think it is not right that we have so much land. But I say, if we had the chance to buy it, and we worked for it, then why not?". Yet, this reasoning does not consider the original inhabitants, or question the state's right to sell these lands. These lands were violently appropriated and became 'property' of the Spanish Crown with the Treaty of Tordesillas in 1494—and were granted to settlers in the *encomienda* system, which legalized indentured Indigenous labour—and after independence, became property of the Republic of Peru. The original Indigenous inhabitants and caretakers of these lands did not

consent and were never compensated. The right to buy and sell these lands is thus highly contested.

The Pezo family extracted all mahogany and cedar, and shaped the urbanization of Atalaya. Mario Pezo, son of Julio and since threefold mayor of Atalaya, explained that back then there were no legal restrictions on timber extraction, and "there was no impediment from Indigenous communities" (interview 2019-12-2). According to him, there was no slavery in Atalaya in the 20th century; "We worked with Indigenous groups and paid them with support for schools, clothing for playing football… They had no conscience of money and did not know how to count. It was fair to pay them this way. With money, they would have bought the same things. Actually, it is quite the opposite these days; the entrepreneur is slave of the Indians [referring to the fact that timber entrepreneurs need to work with and pay communities—albeit an absolute minimum—to access their land and resources]". Yet, García Hierro writes how at one incident, Pezo captured several previously uncontacted Indigenous people to get control over their land and labour (Hierro et al. 1998). One should thus be sceptical about his denial of slavery. His grandson admits that punishments might have been harsh, as there was no law. He therefore understands "why one might call it slavery—but it was not a bad thing. The Indigenous people lived in peace and were allowed to leave. They had food. If it weren't for this, they would have been starving in their community" (interview 2019-10-28). However, Indigenous people 'starving in their community' is an invalid argument, for these communities had ingenious agricultural subsistence systems, that were interrupted and destroyed by colonization. Studies have shown that the Amazon is in fact man-made food forest (Maezumi et al. 2018). Moreover, other sources state that Indigenous labourers could not easily leave the patron; the *apu* (head) of Sapani was about 10 years old when the patron was expelled, and has been told many stories by her family (interview 2019-09-24).
Today, the Pezo family still owns a huge terrain in Atalaya, which they are parcelling and selling, contributing to Atalaya's further "modernization". They play an important role in Atalayan politics, and are presently perceived as a positive power because of charitable and philanthropic efforts, offering land for the university and the hospital.

Throughout the 20th century, Indigenous dispossession and oppression continued as missionary and political authorities (settlers of Spanish and mixed descent) worked together and legitimized one another. Many people moved away to avoid confrontation and

enslavement, others were forcibly removed from their lands (Hvalkof 2008). Meanwhile, many Indigenous families remained in patron-client relationships. “The Republic of Atalaya” was isolated from the rest of Peru; what happened in Atalaya, stayed in Atalaya (Hierro et al. 1998:118). The national government had no control over or interest in the region which permitted local authorities to do as they please. Meanwhile, in in Peruvian Law, Indigenous rights appeared on the agenda. It took a long time for this to reach Atalaya. The next chapter discusses the legal process and implications of Indigenous land rights in Peru, and the implementation of Indigenous rights in Atalaya.

7. COMMUNAL LAND TITLES

As embeddedness in their ecosystem is an important part of many Indigenous cosmologies and colonial oppression is rooted in territorial dispossession and displacement, reclaiming their lands and obtaining territorial security is priority for IPs. The recovery of ancestral territories is deemed the only guarantee for Indigenous survival by national organization AIDESEP (2020). Communal land titles are the first logical, and legally possible, step towards achieving this.

Recuperation of land is an important part of decolonization. According to Tuck and Yang, "decolonization in the settler colonial context must involve the repatriation of … all the land, and not just symbolically. . . . Decolonization eliminates settler property rights and settler sovereignty. It requires the abolition of land as property" (2012:7). As we will see, communal land titles do not quite achieve this. Securing Indigenous control over land *and* resources is highly important, and yet to be attained.

The following section describes the legal framework for communal land titling and its course in Atalaya. The process of emancipation of Atalaya and Gran Pajonal is followed by a discussion of the need for and limitations of communal titles.

7.1. The formation and titling of communities in Atalaya

In 1920, Peru's Constitution first recognized territorial rights for Indigenous groups. However, this focused on Andean communities. In 1957, Amazonian forest-dwelling peoples were granted *use* rights, and had to wait for true territorial rights until 1974. After coming to power with a coup, leftist military President Juan Velasco Alvarado (1968-1975) implemented an agrarian reform which allowed Peruvians working on haciendas to claim ownership over these lands. Quoting Inca leader Tupac Amaru, Velasco said: "Peasant, the landlord will no longer eat from your poverty!". Most important for Amazonian peoples was the return to communal land ownership for families and ethnic groups. The 1974 Native Communities Law (Nº 20653) granted collective rights to IPs organized into '*Comunidades Nativas'*, defined as

clans linked by language, culture and common usufruct (Burneo 2018).[14] While this empowered Amazonian communities to secure their land rights, many limitations remained. Furthermore, when Velasco's rule came to an end, land titling was halted. The Morales-Bermúdez-government (1975-80) favoured private investors over Indigenous communities, as did President Belaúnde Terry (1980-85) who was drawn by the 'enormous agricultural potential of the Amazon'. Luckily, in those same decades, the global Indigenous movement grew and Peru's first IO emerged. Locally, through grassroots mobilizations, and internationally, through the United Nations, the recognition of Indigenous (land) rights was demanded. Yet, despite widespread advances in Indigenous rights, in Atalaya, exploitation and outright slavery continued. New roads and infrastructure, part of 'development' projects (e.g. by the World Bank) deepened existing relations of inequality by bringing further encroachment on Indigenous land (Hvalkof 2008). Whole regions were opened for colonization. Along the Ucayali river, indentured labourers worked as lumberjacks, while in Gran Pajonal, they cleared forest for cattle pasture. In the 1980s, Indigenous resistance grew and finally brought an end to this situation. This started in Gran Pajonal.

7.1.1. Gran Pajonal

Groups of Ashéninka were centralized in missionary stations of the protestant missionaries of SIL (Summer Institute of Linguistics)—who opposed colonial abuses, in contrast to the Catholic Church—where they learned about religion, and increasingly about their rights. When, due to 'development' (the expansion of cattle ranching) and settler influx, settlers put increasingly more pressure on Ashéninka labourers, the number of conflicts between Ashéninka and settlers increased. After learning about the Native Communities Law, Indigenous leaders asked missionaries' help to demarcate communities (Hierro et al. 1998). This led to the transformation of former missionary stations into Atalaya's first four

[14] The denomination 'Native Community' was decided on by Stefano Varese, an anthropologist charged with developing a legal framework for the protection of Indigenous land rights in the Amazon, under Velasco's land reform. Varese chose this name with the "ethnopolitical intention of debunking the old colonial lexicon ['*indios'*, '*salvajes'* etc.] used at that time in Peru to address the Amazonian indigenous peoples" (2017:321).

Comunidades Nativas (Chicosa was the first in 1976). It took 10 more years for other communities to follow.

In the 1980s, Ashéninka leader Miguel Camaiteri returned home to Gran Pajonal to "free his people" (interview 2019-11-10). Isolated communities had no idea of their rights, and thus Camaiteri decided to visit all Ashéninka groups to spark resistance. This made for a two-month walking trip where he visited Ashéninka settlements which were grouped per family and associated with a patron. The patrons did not easily give up and, as often throughout history, attempted to retain power by employing 'divide-and-rule' strategies (Mamdani 2012). Stories were told about Camaiteri and other protagonists to install fear among the Indigenous labourers. Despite the price on Camaiteri's head, the Ashéninka people sided with Camaiteri. To defeat the patrons whose power sprang from their control over land and labour, IP had to reoccupy their land. They fit within the Native Communities Law's framework and obtain land titles, several families joined together to form a 'Native Community'.[15] Although consciously created, these communities were not purely artificial but largely corresponded to kinship and geographical lines, which have long formed the basis of Indigenous groupings (Narby 1989).

In this process of forming Ashéninka communities, OAGP (Organización de los Ashéninkas del Gran Pajonal) was created—Atalaya's first political IO—with Miguel Camaiteri as president. In 1987, the first phase of land demarcation was carried out, aided by AIDESEP and despite local settler opposition and failed coups on OAGP's leadership. Between 1984 and 1988, 26 communities were demarcated and titled, forming an almost continuous territory with

[15] Back then, to obtain official community titles, communities needed to be recognized by the Ministry of Agriculture. Today, this is the responsibility of the departmental DRAU. Although self-identification as Indigenous is the first criterion to be recognized as Native Community, groups are also requested to show pre-colonial origins and specific characteristics such as language, culture, and traditions. This is verified by governmental teams who conduct socio-economic studies. After the recognition and formalization of the community, a land title is solicited. Another government team then visits the community to observe the territory and gather information. The community proposes a map with the solicited area and in cooperation with the comuneros, based on their demands (if not contested by other land uses), boundaries are drawn.

only Oventeni as settler town. While settlers still possessed huge areas of land, the inflow of new colonists was halted (Hierro et al. 1998). An additional proposal to demarcate a larger territory as a reserve was made, to protect ancestral territory and peoples in voluntary isolation. This led to the Communal Reserve El Sira, created in 2001.

7.1.2. Atalaya

After the successful land titling process in Gran Pajonal, attention shifted to Atalaya. AIDESEP only first discovered the horrific circumstances in Atalaya in 1986, when an Asháninka man travelled to Lima to inform them. Labourers were perpetually enslaved through debt; children were taken from their parents. Indigenous people were treated as objects. Nobody—not missionaries, visiting researchers, NGOs, or authorities—spoke out against it. Most depended socially and organizationally on local patrons, and did not want to risk their position (Hierro et al. 1998). The Asháninka meanwhile had nowhere to go to and no knowledge of their rights.[16] Many were born into feudal relations, although story and tradition ensured that Asháninka memory and heritage lived on.

AIDESEP met with local leaders and supported the creation of a local IO, OIRA (Organización Indígena Regional de Atalaya), of which Bernardo Silva was a founder. Organizations like ILO and the Peruvian Indigenous Institute also got involved and backed demands for community titling. The Peruvian government could no longer look away and helped to expel patrons, although none were trialled for their criminal abuses. Hence, Mario Pezo simply moved his lumber business to other territories. AIDESEP was forced to *buy* land from patrons to legally hand it to newly formed communities (Hierro et al. 1998). The Ministry of Agriculture agreed to administrate the titling process, but did not provide any financial support. In the history of Indigenous land titling, not one penny has been paid by the Peruvian state. In Atalaya, the Danish International Development Agency offered financial support, but the communal titling project was entirely Indigenous-led, under OIRA. So, Peru's last bastion of slavery was ended by the Indigenous nations themselves (OIRA 2016). In 1996, they even received the international Anti-Slavery Award for this (see Appendix 3).

[16] This was in large part dependent on the presence of Protestant versus Catholic missionaries.

From 1989 to 1998, the territorial formalization of more than 200 'Comunidades Nativas' was completed and three reserves for People in Voluntary Isolation were created. Finally, Atalayan IP were registered as citizens, a change which led to the first political gain by an Indigenous party. Access to politics and municipality subsequently advanced the protection of Indigenous rights, although there remain many unattended needs. Atalaya's history allows us to understand how far Atalaya's peoples have come, and the enormous gains made, but also to recognize (post)colonial continuities which come forth in titling and post-titling challenges. The formation and titling of Native Communities has not been unproblematic—and neither is the institution of titling itself.

7.2. Land-titling as property-making

Land titling offers protection. It is a victory when viewed from a historical perspective, going back to colonization. It protects from invasions, loggers, and drug traffickers. Without titles, these lands are open for grabbing. For now, titling is the only legal path to reclaim Indigenous land. IPs have therefore made communal land titling their priority. Importantly, Indigenous control over land "is interdependent with a larger 'package' of rights that allow them to secure a margin for territorial, economic, political and legal autonomy as self-organized group" (Cottyn 2014:76). Territorial control is therefore a question of rights and more specifically the right to self-determination. Atalaya's IOs name 'Indigenous autonomy'—entailing territorial self-determination—as their main objective (Chapter 9).

Territorial autonomy entails the right to decide freely on their internal life, in economic, social, political, cultural, and ecological aspects. Currently, this is lacking. Cottyn writes how, because of the incorporation of communal land titles into "standardized frameworks for land entitlement", instead of following customary land right systems, the right to self-determination is eroded (2014:76). In Peru, legal limitations, such as obligatory internal categorization according to land usage and limited use rights over forest and subsoil resources, strongly imperil Indigenous autonomy. These limitations are discussed in detail in section 7.3.1. Furthermore, by delimiting the intangible territory and creating physical and abstract divisions, communal land titling contributes to the integration of Indigenous territories into capitalist structures. The fact that not only territorial security, but also access to health and education

programs,[17] economic projects and trainings, and the timber market, depend on recognition and titling as Native Community, obliges IPs to take part in the state logic of property.[18]

The strategy of communal land titling emerged within the current capitalist system and challenges injustices with the system's own tools. Land titling is a strategy of land commodification, transforming commons into possessions. As discussed in Chapter 4, *territorial* rights are translated into *property* rights. Yet, while 'territory' is at the centre of conflicts between state and IPs, 'ownership' itself is not at stake (yet). Peru's IPs make use of the institutions of 'property' and 'land titles' to regain control over their territories. Blomley writes how, "[a]s a set of relations, powerfully constitutive of space, property can serve both as an instrument of dispossession and as a ground for resistance" (2014:1303). In Atalaya, 'space as property', in the form of titled grounds, is indeed both a space of dispossession and of resistance—as the many conflicts prove (Chapter 8). The meaning of property is contextual, with "multiplicity and fluidity … and the possibility of carving out space for difference even within legal systems that seem bent on purification" (Blomley 2014:1304; Tomiak 2017). Mitchell adds that, instead of fighting capitalist categories, it can be useful to borrow from capitalism the tools to deconstruct it: "one can borrow capitalism's notion of the non-capitalist, the West's notion of the non-West, and modernity's notion of the non-modern, and ask what these nondisposable fictions suppress" (2000:12). This opens us to spaces to find strategies of resistance.

[17] Governmental teachers are only sent to titled communities, and development projects (nutrition programs, trainings, carbon trade, coffee and cacao projects) generally work with recognized and titled Indigenous groups.

[18] To partake in the timber market, being formalized as a Native Community and obtaining a forestry permit are necessary conditions to prevent depletion of resources and prevent illegal logging. However, these measures and their bureaucracy exclude groups from economically benefiting from their resources, and benefit groups such as the influential timber lobbies who are experienced in bureaucracy and forestry law.



Figure 9. House in CN Chicosa. While community lands are communal property, houses can be individually owned and inherited (although without formalization). Source: Myrah Vandermeulen.

Moreover, (partial) participation in Western property frameworks does not exclude participation in other frameworks or resistance to it. Hindery (2013) describes how Indigenous activists use Western law as a tool but at the same time continue their struggle outside of it, through mobilizations and electoral politics. In Atalaya, organizing in politics or civil society and direct action are all legitimate strategies of the Indigenous movement (Chapter 9). It would be incorrect to assume that Amazonian peoples wish to live isolated from wider Peruvian society or market economy. IPs develop strategies which combine various frameworks. Yet, as Audre Lorde emphasizes: "the master's tools will never dismantle the master's house" (1984:112). According to Alfred and Corntassel, communal land titles, as part of "watered-down cultural restoration processes" which accept the premises and realities of the colonial state, are inherently flawed (2005:612). Titling alone cannot create a postcolonial system. Decolonization needs a recovery of Indigenous territory and autonomy, but it mostly needs to move beyond commodifying schemes. But for now, for the sense of urgency many feel, Indigenous land titling contributes to safeguarding what is left of the ancestral territories.

Communal land titles can thus be analyzed as both enabling and constraining Indigenous lives and self-determination. The many limitations of the titles and titling process are discussed in the following section.

7.3. Titling obstacles

The soliciting of a community title is in itself a lengthy, complicated process. This process is further complicated by legal obstructions, settler presence, and an anti-Indigenous bias. The inadequate legal framework, titling delays and property overlaps, lead to titling and post-titling issues. Some of these are deliberately built into legislation, which is rooted in the colonial framework. Ontological differences and misunderstanding, about the meaning of land and territory (Chapter 4), are at the core of many of these problems.

7.3.1. Legal limitations

The 1974 Native Communities Law meant a huge advance for Indigenous rights in Peru. Yet, it is flawed. The law is based on the pre-existing framework for '*Comunidades Campesinas'* or Andean peasant communities and lacks understanding of the Amazonian reality. While Andean communities reside in villages and focus on sedentary agriculture, Amazonians live in dispersed settlements as hunter-gatherers and engage in small-scale shifting agriculture. After a reinterpretation of the law (by Amazonian people), these dispersed groupings could be viewed as a community (Hierro et al. 1998). Nonetheless, the law following an Andean concept of land remains inadequate. Titles are based in patterns of territorial use, access and distribution foreign to Amazonian territorial and symbolic conceptions (Burneo 2018). Guillermo Ñaco, Asháninka leader and legal counsellor of IO FABU, states that for the law, "the land is what is being produced" (interview 2019-10-01). In the first version of the Native Communities Law (Nº 20653), communities were still granted property rights over the complete area. This changed in the second version (Nº 22175) in 1978, when the Morales-Bermúdez-government centralized all forests under state control (including those under community management). Property rights are since only granted over the agricultural zone and do not acknowledge the hunter-gatherers culture of the Amazon's IPs. This was the work of a modernist, economic state logic which prioritizes production (timber concessions and cash-crop plantations) over Indigenous rights. To this day, the state maintains an artificial hierarchy of different land uses by valorising production and accumulation over subsistence and symbolic uses, perceived as unproductive 'non-use' (Greaves 2018). It follows that concessions are prioritized over Indigenous land titling. While a timber company would obtain a forest concession within months, a community typically waits for years before their land is titled.

Also, the attribution of land to a certain community depends on luck. If the community was surrounded by free land when soliciting title, they could solicit an extensive area. If the surrounding land was occupied, their territory would be significantly smaller. NGO and government employees asserted that criteria should be defined to decide the size of a community title (interviews 2019-10-09 & 2019-10-21). However, this could only limit maximum size, not minimum, and would thus not benefit IPs.[19]

Communities only enjoy '*cesión en uso'* (use right), and not full property rights, over forest land and subsoil resources. This law which forbids the titling of surface water (lakes and rivers), *subsuelo* (underground resources), and forest, compromises the territorial integrity and cultures of these "civilizations of the *integral* forest" (Ñaco 2019-10-01). Human rights lawyers, such as Lily La Torre Lopez, have fought for the consolidation of Indigenous self-determination, and achieved for 'use right' over resources to be perpetual and exclusive for the law (interview 2019-10-22). IPs can exclusively decide over these resources, but are bound by regulations. Moreover, it has happened that the government temporarily (and unlawfully) revokes these rights to grant concessions, when the community did not agree to this. In Peru's corrupt landscape, laws are no obstruction for wealthy actors. IPs thus remain in a very vulnerable position, with only partial rights over their resources. This undermines Indigenous autonomy. Furthermore, a legal requisite for community titling is the internal categorization of space: a division into an 'urban' centre, *chakras* (farmlands) and forest land. This does not come naturally for Indigenous communities and can be seen as a state strategy to control communities' internal organization, by contributing to the making legible of Indigenous territories, externally and internally (Scott 1998). While not all community members see it as a negative measure—"before, the Asháninka lived in chaos. Communal ordering brings structure" (interview 2019-09-14)—it likewise compromises Indigenous self-determination.

These restrictions on Indigenous property are legitimized by the idea that the land rightfully belongs to the state. When territorial rights are granted to IPs, the general public perceives that the state is helping them. Yet, as stated before, the granting of land rights by the state could be analysed as expropriation (p.24). The ancestral Asháninka territory is divided, with parts made state land or sold. Previously intangible territory is commodified and plotted. It should be

[19] Since 'the land is ended', a minimum cannot be defined. See Section 7.3.3.

remembered that Indigenous territories precede the formation of the modern Peruvian state, and so does their right to land (Chirif & Hierro 2007). The Peruvian state should limit itself to officially recognizing and guaranteeing these pre-existent rights, in accordance with criteria drafted by IPs. However, as one state functional, working for the Environmental Finance department (FEMA) observed: "For the government, IPs don't have any significance. They are only a very small group of voters" (interview 2019-10-21).

The 1979 Peruvian Constitution made community lands 'inalienable, imprescriptible, and unseizable', to protect Indigenous territories from outside acquisition (Sax 2019). Communal lands could not be sold or traded, mortgaged or divided. However, these foundational principles were quickly forgotten when the 1993 Constitution under Fujimori allowed community members to divide and sell their land (through a two-thirds majority vote), with the objective of attracting foreign investment and promoting individual ownership (Monterroso et al. 2017). In accordance with modernist development theories, collective property was treated as an obstacle to economic development. The law even allowed for the state to confiscate land deemed 'abandoned', to put it to 'productive' use—opening the way for new dispossessions (Barletti 2016). Under Alan García's second presidency (2006-2011), a bilateral free trade agreement with the United States was signed, followed by new attempts to open up the Amazon. A new decree lowered the condition to sell community land to a simple majority vote of comuneros attending an informal meeting, thus facilitating takeover of communal territory by companies and entrepreneurs. Indigenous resistance eventually led to an Amazonian-wide uprising, culminating in the Bagua bloodshed, a confrontation between police and protestors where people died on both sides (Barletti 2016). Protests were eventually halted when Peru's Congress overturned two of the new decrees.

This clash was rooted in the opposition between Indigenous and modern capitalist ontologies. Where modernity sees 'land' with economic value, Indigenous cosmology sees 'territory' as an all-encompassing notion, connecting land with human and non-human actors, imbued with life. Land titling laws, created within a modernist framework, cannot grasp territory's multidimensional integrality—and do not aspire to. Communal titles belong to contemporary strategies which are "building not on a spiritual and cultural foundation provided to us as the heritage of [Indigenous] nations, but on the weakened and severely damaged cultural and spiritual and social results of colonialism" (Alfred & Corntassel 2005:612).

The one-world world (OWW) cannot hold the pluriverse, linearity cannot encompass multilayeredness. Thus, they reduce it to uniformity—or attempt to, because at one point, this desired uniformity will be overwhelmed by the multidimensional reality it has tried to keep out. The idea of 'territory' offers those within the linear, rational framework a way to approach an understanding of this multidimensionality. 'Territory', comfortably defined as a large continuous homeland, including forestry, water and subsoil resource, has been popularized by COICA from the 1980s on, to put pressure on land titling agencies to title larger surfaces, territorial units of various communities, and communal reserves and conservation areas (Chirif, Garcia and Smith 1991). Despite Indigenous demands, the concept of 'territory' has not been included in Peruvian legislation. In the future, legal cadres could work with this conception to move from linearity into multilayered reality, and lead the way to a postcolonial world.

7.3.2. Anti-indigenismo

Many limitations on Indigenous rights spring from prevalent anti-indigenismo. This is the imagining of 'Indigenous' as synonymous to backward and primitive. Since colonization installed a racial hierarchy, 'Indigenous' retained a negative connotation in Peruvian society. This hierarchy, installed in minds and institutions, and the idea of the 'lazy native', impact IPs enormously (Chapter 3). Anti-Indigenous tendencies arise strongly in commonplace hostility towards Indigenous territorial rights. In interviews with non-Indigenous state functionaries and *madereros* (timber entrepreneurs), and in day-to-day informal conversations, people would state that IPs are 'profiting' from the system.

"What gives them the right to so much land?", people would state, followed by: "They don't even use the land". The ideal of economic growth leads to the perception of land in Indigenous hands as unproductive (Chapter 4). The vision during colonization, and continuing to this day, is that colonizers 'develop the land' while IPs hinder progress. By calling them a 'Dog in the Manger', ex-president Alan García compared Amazonian peoples to a dog growling over food, forbidding anyone to eat while not eating himself. The perception was that land under Indigenous tenure was idle and that the 'excuse' of ancestral land rights kept the Amazon from reaching its productive potential (Orta-Martínez & Finer 2010). This idea of Indigenous territory as underused but with enormous economic potential continues today. A FEMA government functionary exclaimed: "40,000 hectares for one community is exaggerated! The

'real' community is small, what do they need such an area for?" (interview 2019-10-21). While 40,000 ha is indeed an extensive area, these oft-heard arguments do not consider the reality of shifting agriculture in the Amazon and Amazonian peoples as hunter-gatherers, nor do they try to understand the meaning of the Indigenous integral territory. This is a continuation of colonial notions which described the Asháninka as 'nomads', abandoning their plots every so many years "for no other apparent reason than irrational restlessness", linked to the notion of the lazy, wandering *indígena* (Narby 1989:113).

7.3.3. Land's End

A distinction between 'community lands' and ancestral Asháninka 'territory' is crucial. Ancestral territory is of a 'people' and extends from past to future—it traverses us (Delgado-P. 2009). Land titles do not correspond to ancestral territories. They lack integrity, and are obtained by a community, not a people. While the creation of communities was not problematic (in my informants' experience) and even enhanced political participation, solidarity and unity—necessary assets in an unfriendly political climate —, the fragmentation of ancestral territory and Indigenous population *is* problematic (Barletti 2016).

Peruvian law never mentions '*pueblos indígenas'* (IPs) but solely speaks of 'Comunidades Nativas' and 'Comunidades Campesinas'. Instead of granting territorial rights to a people, the state grants rights to a community, over one piece of their ancestral territory. The result is a patchwork of titled communities, state land, and individual properties, with untitled 'empty spaces' in between. These untitled spaces allowed for new settlers to arrive. In recent years, all 'empty' or 'available' lands have been filled up or made state land. In the past, communities could solicit territorial expansion, but at present, this has become difficult, now that "*todo está cerrado* [everything is closed]".[20]

In 'Land's End' (2014), Tania Murray Li describes how Indonesian Lauje highlanders lived without capitalist competition as long as they had access to land. Land meant freedom and self-sustainability. When the land was 'ended'—"everything was closed"—competition for land and resources arose. The same happened in Atalaya, where competition between

[20] When the titled area proved too small—as in many cases—communities solicited extension. Many communities thus obtained second title deeds with an expanded area.

communities, and with other actors, is rife (Chapter 8). Individual intra-communal competition is rare, but might become more common as population grows and communities cannot expand. Communal titles, although large, frequently don't contain sufficient fertile lands. Most of it is forest, which the community cannot touch for agricultural purposes. Each family needs approximately 1 to 1,5 hectares of farmland to subsist. Within the system of shifting agriculture, they clean a new plot each year. As fallow land needs approximately 25 years to recover, each family needs around 30 ha. In many Native Communities, the predefined area for chakras does not suffice (Narby 1989*)*. Furthermore, shifting agriculture is combined with hunting and fishing, requiring an extensive territory to prevent exhaustion of resources.

Considerations for future generations also demand sufficient land reserves. Populations keep growing, and already overpopulation drives people to move between communities.[21] At times, communities work together to solve this issue; In Gran Pajonal, CN (Comunidad Nativa) Bajo Chincorini's title accounts for 696 ha (of which only a small part for chakras)—too little for 240 comuneros (interview 2019-11-09). Befriended CN Chengari, with a territory of 8000 ha, allows them to make chakras in their community.

7.3.4. Permanent Production Forest

'Land's End' in theory means that there is no space for new communities. Yet, new communities appear every year. Most are created by landless Amazonians (previously living elsewhere, for example the city) who find a place, sow yucca and build houses. As Indigenous people, they have rights to their ancestral territory and therefore the right to settle somewhere and form a community. Although the concept and right of 'ancestral territory' is affirmed by ILO Convention 169, which was ratified by Peru in 1994, it has not been explicitly adopted by Peruvian law, and new Native Communities are often blocked in their efforts by unclear legislation and overlapping claims (Larson et al. 2018).

Notably the categorization of forest land as *Bosque de Producción Permanente* (BPP) or Permanent Production Forest obstructs the formation of communities. BPP was created in

[21] When there is a lack of cultivable land in their community, comuneros search for another community with space. Native Communities can decide whether or not to accept a new comunero. Being Asháninka does not entail free entrance/membership.

2001, by the new Forestry and Wildlife Law (Nº 27308), to integrate all untitled forest lands into market structures. The category of BPP springs from an economic logic, to ensure the profitability of forest resources by facilitating (timber) concessions. The state prioritizes forest concessions over ceding these lands to communities, for concessions yield taxes and to please the powerful timber lobby. The Regional Governor of Ucayali, 'Panchito' Pezo, is himself a *maderero*, which suggests entangled interests.

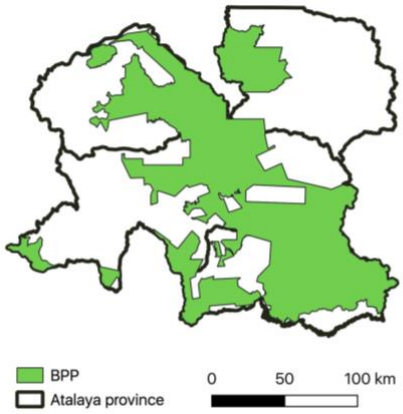


Figure 10. This map shows the extent of BPP in Atalaya. Source: SOFFSA.

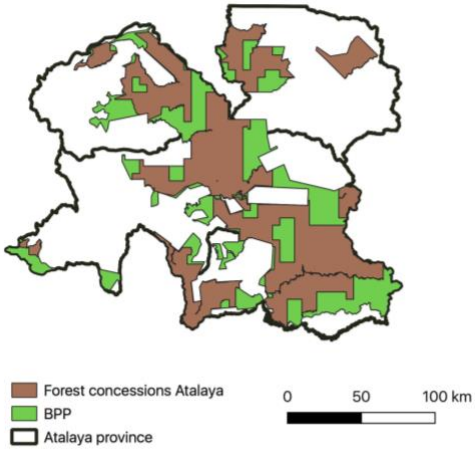


Figure 11. This map shows the quantity of forest concessions. Source: SOFFSA.

Over 17 million Amazon hectares are classified as BPP, of which 52% or 9 million hectares overlap with (titled and untitled) communities to some extent (Monterroso et al. 2017). In Atalaya, *all* untitled communities overlap with state forest. Some are located completely inside BPP. Susana Silva, president of FABU, stresses that BPP was placed over ancestral territory without consulting the IPs (interview 2019-09-16). As defined in ILO 169, peoples and communities have the right to prior consultation before any public decision that may affect them. A specific Peruvian Law of Prior Consultation of Indigenous or Original Peoples (Nº 29785) was passed in 2011. Despite this, this right was not respected.

BPP now hinders the formation of new communities. An example is the community of Saweto: They first solicited title in 2003, but at the time their land—categorized as BPP—had already been concessionized. The community was formally recognized "to calm them down" but without any territorial guarantees (interview 2019-10-22). In 2014, four of Saweto's leaders were killed by illegal loggers. Subsequent mobilizations and international attention forced the Peruvian state to grant them a land title. A resolution was adopted to ensure that overlap with

BPP no longer affect communal land titling (Monterroso et al. 2017). New communities should now be excluded from BPP. While this resolution does not explicit any condition, oft-times it is believed to apply only for Native Communities who arrived before the implementation of BPP (interview 2019-09-18; Camero & Gonzales 2018). Exclusion from BPP is to be done by the National Forest and Wildlife Service (SERFOR). Ironically, SERFOR states that communities have no right to settle inside BPP: "being Indigenous does not mean you can demand land anywhere" (interview 2019-10-23). Most government functionaries as well as NGO employees whom I spoke to, state that there is no land left for new communities. This is in direct contradiction with the law. Atalayan Forest Service's lawyer Esteban ensured me that BPP remains "*tierra de libre disponibilidad*" (land of free availability), where new communities can settle without restriction (interview 2019-09-23).

What should be a legal and objective question, is cause for discussion. This is often the case with Peruvian laws, Esteban explains. Laws are "at the same time rigid and flexible"; the legal framework has many voids, and one can look for other laws or interpretations to complement. While this ambiguity could also be to the advantage of Indigenous groups who know how to move themselves in the landscape of institutions and regulations, most Indigenous people have limited knowledge of legal cadres. Ambiguities therefore mostly work to the advantage of knowledgeable entrepreneurs and companies.[22]

[22] This is especially salient in forestry law. When a CN works with a timber company through a forest concession, contracts are generally made up in the advantage of the company. Until recently, for the law, any transgression of forestry law (felling a wrong tree, exceeding the permitted volume of timber etc.) was seen as the community's responsibility—as title holder of the land—and likewise penalized.

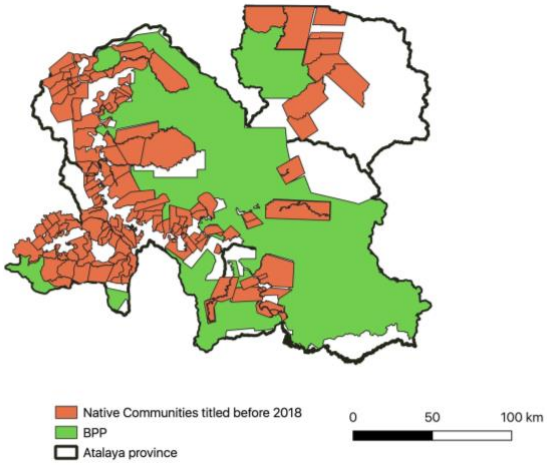


Figure 12. This map shows BPP and non-overlapping (excluded) Native Communities. There are no coordinates available for untitled communities. Source: SOFFSA.

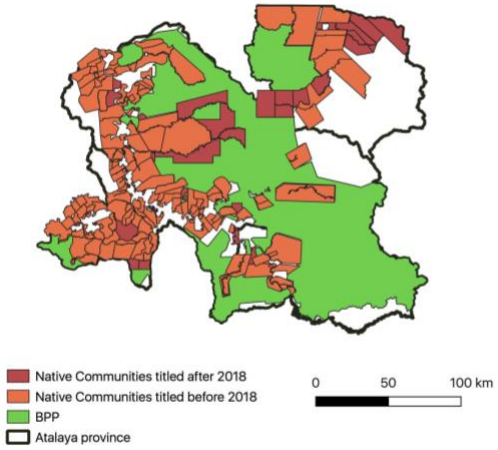


Figure 13. This map shows some overlaps between BPP and newly titled communities. Source: SOFFSA.

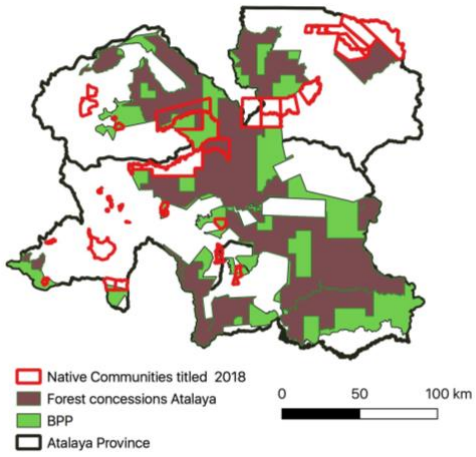


Figure 14. On this map, we clearly see the overlap. Since all concessions are inside BPP, overlap with concession is also overlap with BPP. Source: SOFFSA.

The process of securing land titles in BPP-zones is even more complicated when logging concessions—with validities up to 40 years—are already granted. To obtain a title, the community needs to make an accord with the company. Only at rare occasions is this achieved (interview 2019-10-30). In fact, SERFOR is responsible for aiding communities by compensating the concession holder. Notwithstanding their legal obligation, SERFOR refuses to exclude communities from BPP and concessions. As the authority responsible for forest concessions, their priority lies with the timber industry. CEDIA's director tells me that "SERFOR is always looking for excuses" (interview 2019-10-22). SERFOR drafted BPP and is thus responsible for the overlap they now refuse to solve. They use their lack of a solid cartographic database as an excuse, for not knowing communities' location (interview 2019-10-23). Cartographic databases exist but are not unified, and all (governmental and non-governmental) institutions use different ones. Coordination between the DRAU, responsible for community titling, and SERFOR, responsible for concessioning, is minimal or nonexistent. Overlaps are thus a logical consequence. Moreover, uncompleted solicitudes for land titles do not appear on any maps (interview 2019-09-19). Yet, lack of information is only an excuse. With sufficient funding, this could be solved. In reality, there is a noticeable preference for 'productive' forest concessions over communal titles, springing from the relentless desire for economic growth within the capitalist system**.** Last year, another concessioning program was launched without consulting the IOs, and in 2017, SERFOR interrupted the titling process of 29 Native Communities to approve a 'fast track' for timber concessions (interview 2019-10-22). It is highly improbable that SERFOR had no knowledge of the presence of these communities. Some of my informants believe that DRAU has (informally) ordered the delay of all communal land titling requests inside BPP, which, given the history of corruption and anti-Indigenous bias inside DRAU, is not unlikely.[23] Economic and (neo)colonial interests govern today's Peru and market saturation is prioritized. While president Vizcarra (2018-2021) has promised to title all Indigenous communities before 2021, this is far from being achieved (AIDESEP 2019). Vizcarra's empty words disguise the state's history of minimal (financial and other) contribution to land titling, and the colonial and commercial approach of Amazonian territories.

[23] The DRAU's ex-director, Isaac Huamán Pérez, is in prison for corruption and illegally issuing land titles, to foreign (palm and cacao) companies and others, causing deforestation (Praeli 2018).

Between 2001 and 2015, communal land titling was paralyzed, for lack of political will. When Indigenous titling programs were restarted, after the landmark conflict with the community of Saweto, communities who already existed for many years, solicited recognition and title. While an involuntary delay, this is sometimes perceived as 'suspicious' by the general public, influenced by anti-Indigenous rhetoric and lack of knowledge about the legal situation. Moreover, IPs have inhabited the Amazon for millennia, without any need for titles. 'Titling', as a created institution of recent centuries, is no inherent human activity of any sort. Apart from legal delays, communities tend to seek official recognition only when necessity arises; when outsiders invade their land, companies enter, etcetera. This was the case for the communities of Tres Colinas (see 6.1.) and Nueva Alegria. Nueva Alegria solicited recognition only after they discovered the arrival of an agricultural association and the concessioning of their land. "Before, we did not worry about this. There was no need" (interview 2019-09-30).

Yet, even when titled, communities are faced with further obstacles, as discussed in the following chapter.

8. TERRITORY AFTER LAND TITLING



Figure 15. Chicosa' leader showcases their title documents in a meeting for conflict resolution. Source: Myrah Vandermeulen.

Communities are well aware of the legal importance of a land title and title deeds are often displayed during meetings and interviews, as a way to reinforce an argument and to express pride.[24] Still, a land title does not guarantee territorial security. Ambiguous legislation and incomplete titling processes lead to overlapping land claims and titles, and to conflicts. In Atalaya, almost all communities are involved in conflict over land and resources (with other communities, individual *parceleros*, timber companies, the state, invaders, land traffickers, and so on). Although outright violence is rare, territorial issues might prove deadly, especially for communities who already lack access to fertile land and lose land to other actors. Various factors are cause conflict: the flawed titling system with incomplete and delayed titles; the anti-Indigenous bias of individuals and governmental institutions; and the desire to make profit, of both Indigenous and non-Indigenous actors.

Escobar notes how—while certainly not always— "many territorial struggles … can be seen as ontological struggles; they interrupt the globalizing project of fitting many worlds into one"

[24] Yet, in many cases this physical document was lost, by mistake, decay by weather and time, or because of theft by a *maderero* or corrupt ex-chief. Extractivist companies can take advantage of lack of knowledge to manipulate comuneros, telling them that whoever is in possession of the physical title document, is the holder of the title—which is not the case.

(2017:239). Conflicts often represent deeper conflicts between legislation and territorial needs, and at times serve to unveil tensions between the exclusivist OWW and the pluriverse. This is mostly true for struggles to achieve land titling, for conflicts with timber companies, for resistance against limiting laws etcetera. The focused cases in this chapter illustrate tensions between capitalist worldviews and Indigenous territoriality, and uncover economic motivations which are all-too-present in the communities and which lead to conflict. These tensions between worldviews are not only present in state versus IP struggles, but are present at all levels and between all actors. The two detailed cases and other examples help to grasp the reality and complexity of (post-titling) territorial conflict.[25] They illustrate prevalent issues of territorial overlap and land trafficking.

8.1. Title overlap

One of the most prevalent problems is the occurrence of overlaps. Many Atalayan communities face overlap of some kind; with other communities (Appendix 5), with forest concessions and BPP (Appendix 9), or with individual land titles. While in section 7.3.4., I focused on overlap between untitled communities and BPP, also communities who are already titled face these issues.[26] Demarcation errors are the most frequent cause. Most land titles from before 2000 were drawn without going to the field. This was mainly for Sendero Luminoso (Shining Path, 1980s-90s), a terrorist communist organization whose violent presence in the Selva Central impeded entrance of governmental teams.[27] Land titles were therefore drawn on maps and computer screens. These were rough approximations with little relation to reality.

[25] In the Case 1 and 2, names of communities were not changed. The conflicts are known by the instances involved and most of this information is publicly available. Furthermore, I declare that these case descriptions are my personal experience, which cannot be taken as the truth.

[26] In the specific case of overlap with BPP, the community is often already titled and only awaits exclusion of BPP by SERFOR. This is necessary for the community to be included in the public register and access state programs etcetera. However, as explained, SERFOR does not comply with its obligation to exclude communities.

[27] Shining Path was finally expelled from the region by an 'Indigenous army' of Asháninka and Ashéninka. The Indigenous assistance in triumphing over Shining Path has never been sufficiently acknowledged by the government.

“In this country, they were titling thousands of hectares without satellite images or even cadastral maps”, Lily La Torre explains (interview 2019-09-02). The government engineers tried to follow natural boundaries of rivers, creeks and hills for demarcations, but due to inexact measures and maps, communities’ officially titled limits rarely corresponded to what they believe their (natural) boundaries to be. Even today, DRAU frequently fails to title correctly because of inadequate equipment, lack of budget, corruption, or a combination. As a consequence, most communities do not know their exact limits. And when they were known, these were frequently forgotten: boundaries are marked, but due to lush vegetation, signs are rapidly overgrown and returned to wilderness.

State reluctance to make adaptations, influential actors who were favoured in the titling process, and ubiquitous overlaps ensure that boundaries cannot be redrawn to correspond to communities’ territorial imagination. Inevitably, by redrawing a boundary, one actor loses land. Besides overlaps with entrepreneurs and state land, many overlaps are with settler farmer families (mostly Andeans) who have no place to go to if they lose their land.[28] Another ubiquitous and less innocent type of overlap is with groups of agriculturalist settlers, joined together in ‘associations’. In many such associations, members claim ownership over land out of financial interest and opportunism, without living on location. In the case of CN Selva Verde, overlap was with four different agricultural associations (interview 2019-09-16). This was caused by errors in their title demarcation, which only included half of their rightful territory wherefore the associations could demand title over the other half. After complaints of the affiliated IO (FABU), the title was corrected and the associations left. Yet, in many cases, the community is not heard and attempts at amendment come too late.

[28] For overlaps of this kind, IOs and Indigenous communities usually opt to cooperate with the families instead of demanding they leave. FABU for example includes some neighbouring mestizo villages in their list of affiliated groups, to ensure good communication and friendship between groups.

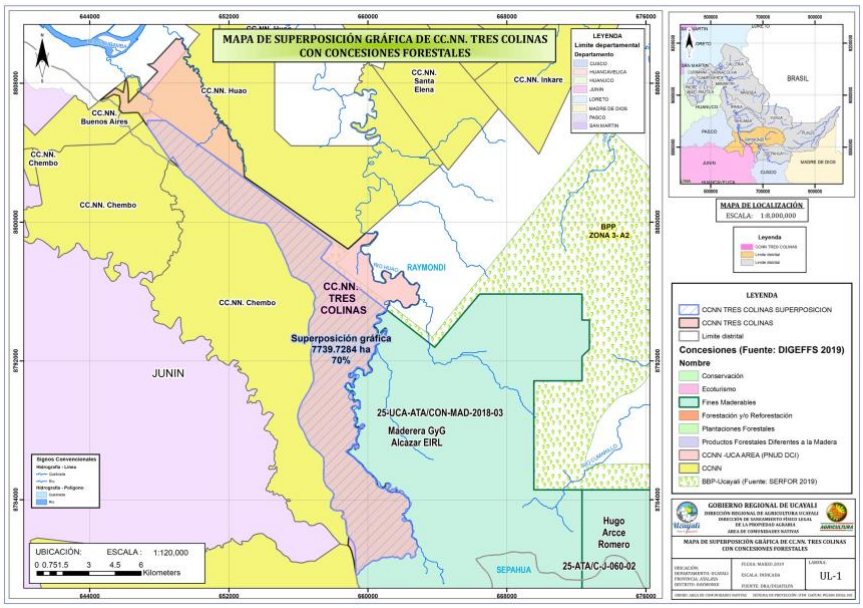


Figure 16. An example of overlap between CN Tres Colinas with a forest concession. Source: ANC.

The lack of communication between government institutions ensures that overlaps keep happening up to today, both for old and new titles (interview 2019-09-04). Until cartographic databases are unified, and concessioning and titling institutions (respectively SERFOR and DRAU) coordinate, this will not change. An attempt to systemize all geospatial information is made with the IDER system (Infraestructura de Datos Espaciales Regionales). This system is meant to unite all information, and thus prevent overlap and conflict. However, due to low budget and loss of archives in a fire, its development is proceeding only slowly. At present, overlaps are only discovered when the harm is already done (interview 2019-10-14). The following case exemplifies this.

8.2. Case 1: Pandishari – Chicosa

Neighbouring communities Chicosa and Pandishari are at odds about one specific piece of land, over which both communities claim ownership. It was generally accepted that this land belonged to Chicosa, since the river was the natural boundary between the communities, but when Pandishari received their exact coordinates from a government project, they discovered that it falls within their titled territory. Apparently, a mistake was made in the titling process, decades ago. Pandishari now uses their newfound knowledge to make claims to this land.



Figure 17. The apu of Chicosa and an ANC official taking a look at a map of the contested area. Source: Myrah Vandermeulen.

At the conflict-resolving meeting, Chicosa's leaders expressed disbelief: "We were oppressed and enslaved by patrons in the past, but would have never thought that our friends, *hermanos*, would betray us" (2019-09-13). Among the elders attending this meeting was Bernardo Silva, who represented OIRA at Chicosa's original demarcation in 1976. As a former missionary station, Ashéninka community Chicosa was Atalaya's very first titled community. Silva remembers bathing in the river, and therefore believes Chicosa's territory to reach that far—thus including the contested area. DRAU official Mario on the other hand, maintains that the official maps are to be respected. He states that anyone can go and swim in a creek; "This does not mean that the limit was there. If you go for a walk without any topographical instrument, how can you know how many kilometres you walked?". While Indigenous himself, as a state official, he prioritizes 'objective' solutions: technology and official maps. However, Indigenous territorial knowledges do not depend on technology or maps. It is characteristic for rational cadres to not accept arguments with different premises. Indigenous knowledges are generally more intuitive than rational. Current modern approaches do not accept this as a reality as valid as a map. I argue that there should be space for this kind of knowing.

A former Chicosa chief exclaims: "Here, they want to impose technology. But we have to look at our history." He reminds us that previous DRAU director, Isaac Huamán Pérez, is in prison for corruption and that government documents should not be accepted without questioning; "This is the time to make our autonomy count".

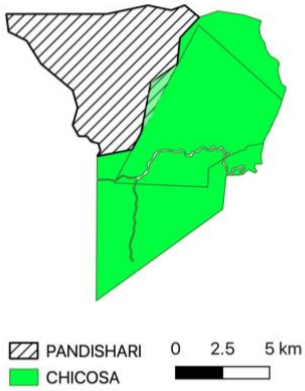


Figure 18. This map shows the overlap between the communities. Source: SOFFSA.

For an external observant, the complex layers of meaning and experience and the diverse motivations are difficult to grasp. While at first, I perceived the 'culprits' to be the state and Pandishari, reality is more complex. Communities face different support and constraints; Chicosa is affiliated to FECONAPA (Federación de Comunidades Nativas Ashéninkas de la Provincia de Atalaya), a strong and reliable IO, while Pandishari is affiliated to OIRA, previously an honourable IO but now weakened by corruption. Furthermore, the meeting was held on Chicosa's grounds, which might prevent Pandishari from speaking up. Moreover, what was obvious to all locals, became clear to me afterwards: this conflict is motivated by timber interests. "There is good wood in Chicosa", and both communities are interested in these valuable resources (interview 2019-09-14).[29] Bernardo Silva even suspects that timber entrepreneurs bribed state functionaries to alter the original titles. Mario concurs: "Yes, there are timber interests behind. I'm Indigenous, therefore I know. There are always other interests" (interview 2019-09-18).

8.2.1. The making of inter-communal conflict

Despite sharing the same ancestral territory, different groups compete for land. As conflicts rarely turn violent, it is often stated that they are "purely territorial". So, the apu of Chicosa emphasized that they would always come to the help of CN Pandishari in case of a

[29] At other occasions, communities working with madereros have preferred boundary confusion, for this allows them to extract more resources.

violent attack or invasion. Nonetheless, for Indigenous identity is intrinsically connected to territoriality, territorial conflicts impact people in many ways.

Pre-colonially, although conflicts between groups of same or different ethnicities were common, territoriality was not the issue at stake—the land was near infinite (Narby 1989). Today, as resources become scarce (or: are made scarce, by the greed of powerful individuals and companies), these have become object of competition. Most inter-communal conflict is economically motivated, part of the ongoing struggle for land and forest.

While before, both Pandishari and Chicosa established chakras on the contested land—even though it was thought to 'belong' to Chicosa—the boundary was only enforced after Pandishari discovered the official coordinates and made accords with timber extractors. Boundaries carry different meanings for different groups, which is, according to Sletto, informed by "inequalities in power, different levels of integration into capitalist economies, and the competing narratives of indigeneity, place and history that characterize Indigenous communities" (2009:273). This difference in attributed significance can lead to conflicts. In this specific case, boundaries gained new significance when technology and economic interests entered. Before, uncertain boundaries did not cause tensions.

The domination of technology evokes diverse reactions, also within communities. Contradictions between state and Indigenous visions surface; while Indigenous individuals might wish to respect tradition and ancient knowledge, state functionaries present technology as objective solution.[30] However, technology is never neutral. The new technology of georeferencing exemplifies this: exact coordinates are mapped with GPS technology, by a team of engineers coordinating with communities. This would prevent overlaps and conflicts, by facilitating comparison of exact maps with aerial photographs. Yet, the question arises: which coordinates are taken?

[30] As is clear from this case, also within Indigenous groups, opinions on technology and tradition differ. Yet, these different visions, although of IP, still correspond to the wider comparison between ancestral Indigenous knowledge and modernist state visions.

8.2.2. Indigenous agency

Communities get entangled in resource conflicts, where before 'nature' was never even perceived as 'resource'. The true cause of territorial conflicts is the commodification of land and nature—a feature of 'one-world modernity'. Often these conflicts commence when outside actors, such as timber companies, enter. Bernardo Silva connects this to colonization: "Since *colonos* [settlers] first entered, everything changed. Everything was commercialized; children, rubber, wood" (interview 2019-09-14). Many place the root of greed and materialistic individualism outside IPs, and blame the mixing of Indigenous and non-Indigenous population.

> "To see which communities are without conflicts, just look which ones are truly Asháninka. When nobody from outside enters, the community is peaceful. Once settlers enter, problems follow. They always want more land."
> (Camaiteri 2019-11-09)



Figure 19. Field trip with Asháninka elder Miguel Camaiteri. Source: Myrah Vandermeulen.

In Gran Pajonal, Asháninka elder Miguel Camaiteri takes us to two communities in conflict.[31] Camaiteri tells us that CN1 is surpassing, because they work with timber entrepreneurs and

[31] I accompanied a team from CEDIA and DRAU, in November 2019, to investigate territorial issues and demands in Native Communities to complement incomplete governmental databases.

want to access CN2's forest resources. He emphasizes that no outsiders reside in CN2—the comuneros of CN1 on the other hand are influenced by settlers who entered through intermarriage.

Indigenous elders Camaiteri and Silva adhere to an idealized image of Indigeneity. Yet, conflicts are frequently instigated by Indigenous actors; an Indigenous chief embezzling money to make dubious deals with companies, Indigenous federations involved in land trafficking, Indigenous comuneros illegally extracting wood … It is true that 'outside' influence helped shape these dynamics. Years of colonization and forced assimilation into capitalist, modernist and statist cadres profoundly impacted Indigenous society, as did influence of non-Indigenous settlers and racial hierarchies within the feudal hacienda-system. The imposed superiority of productivity has created a desire to prove oneself within dominant, capitalist society. Chasing individual material interests, people easily get caught up in corrupt tendencies and lose sight of the collective. While certainly influenced by non-Indigenous society, Indigenous agency needs to be acknowledged. Both in colonial times as at present, Indigenous people are active players who co-create society. Capitalist systems emerge and function not only top-down but also bottom-up (Li 2010). Indigenous actors participate in these systems. Moreover, there is always interaction and, besides space for participation, space for resistance. Also within the Indigenous movement, there are different stances towards capitalist commercialization, and corruption is prevalent (Chapter 9). Yet, the shared identity of Indigenous enhances feelings of solidarity which remains the strength of the Indigenous movement.

8.3. Land trafficking

Land trafficking is the fraudulent trade in land, based on false documents, powerful networks and corrupt government institutions. Land is illegally acquired to make profit from its resources or by reselling (Praeli 2018). As the culmination of the land commodification process, it has become a great problem in Atalaya.

Land trafficking uses various modi operandi. Most common is the creation of an agricultural association, which illegally obtains land titles through corrupt networks. Another strategy is the creation of new communities. These are false or 'ghost' communities: fake constructions

to gain control over land and resources. “They pretend to be communities, but in reality, they are *negocios*” (interview 2019-09-14). Ghost communities obtain a ‘communal’ land title, over a large area of land to then sell the land. Land-sales happen mostly informally, although it is possible for a Native Community to formally sell their land, with a two thirds majority in the Communal Assembly. According to Susana Silva, most (real) communities are unaware of this option.

Importantly, the distinction between ‘real’ an ‘fake’ communities is not absolute—it can be a continuum. In one community, some comuneros might have commercial objectives while others do not. Where some see an Indigenous community, others see frauds and land traffickers. This complicates the role of titling institutions (DRAU and NGOs) who have a hard time to distinguish between ‘honest’ and ‘dishonest’ land solicitudes, aggravated by the lack of insider/Indigenous knowledge often prevalent in these organizations. New titling programs open the door for people with intentions of land trafficking. While I do not wish to distinguish between ‘correct’ and ‘incorrect’ intentions, it is generally agreed on that land trafficking—also by Indigenous actors—is not in the advantage of IPs. Land is sold to entrepreneurs and agricultural companies and most frequently ends up depleted and outside Indigenous management. Yet, ‘Indigenous interests’ are not homogeneous, and land trafficking does materially benefit certain Indigenous individuals and groups (in the short-term).

8.3.1. A ghost community?

Cases of land trafficking have been challenging for Atalaya’s Indigenous federations. New communities may ask for assistance to then appear to be land traffickers. Nuevo Sol is one such community.[32] When the leader, Carlos, first came to Susana Silva, he asked her: “*Hermana*, help us. There is no fertile land left where we come from, the yucca doesn’t grow” (interview 2019-09-16). Silva allowed him and his family to settle in the region and join FABU. While Carlos at first requested 4000 ha, this suddenly became 40.000 ha. After being informed that this man had sold land and wood to settlers in his previous community, FABU clarified that they would not support a land trafficker. Nuevo Sol then left FABU and joined another IO—itself involved in land traffic—to continue their plan. To prevent this, FABU decided to create a community with the objective of protecting the ancestral territory: Inshatoshi

[32] This is not the real name of the community.

Guardianes del Bosque. While the solicitude was already presented to the DRAU, five new communities appeared. These (possibly false) communities are affiliated to Nuevo Sol and suspected to be land traffickers. Together, they solicit 196.000 ha. A neighbouring community observes that Nuevo Sol's comuneros are not residing in the community and states that "they must have money, because they received recognition *al toque* [swiftly]" (interview 2019-09-30). Such swift recognition is exceptional—communities usually (regrettably) wait for months or years. Commercially minded, often well-connected (Indigenous) people move themselves skilfully in the landscape of institutions and titling projects and know how to steer corrupt cadres to achieve their objectives.

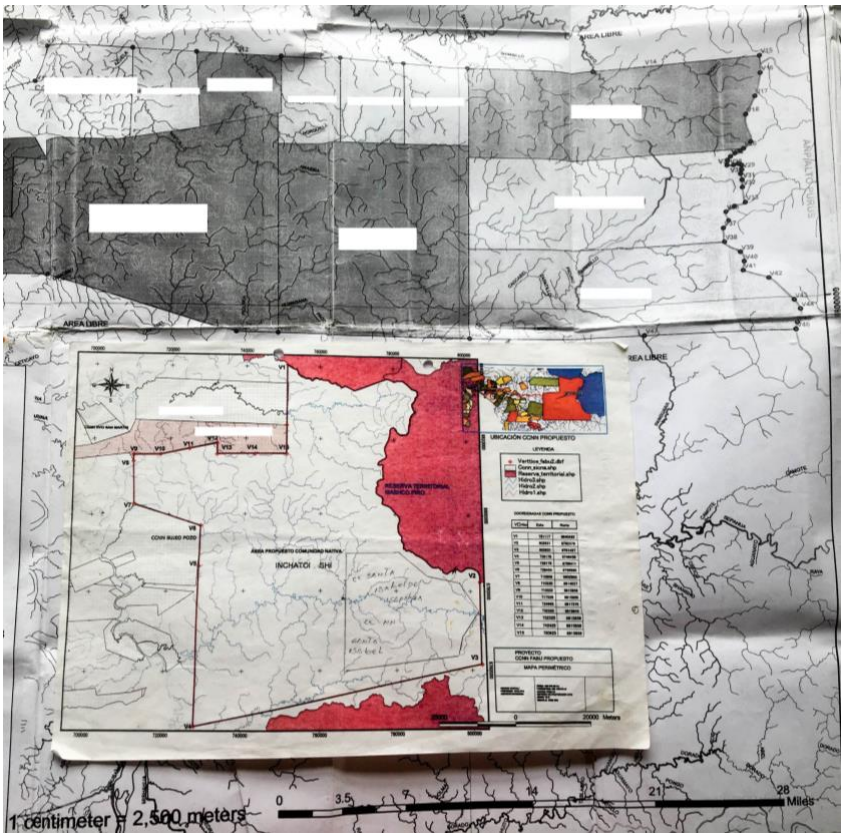


Figure 20. Proposal for Inshatoshi. Source: Myrah Vandermeulen (photo of map shown to me by FABU).

According to Carlos, FABU does not support Nuevo Sol because they have non-Indigenous inhabitants; "We are an intercultural community, of Peruvians" (interview 2019-09-22). To enforce his argument, he states that "Isaac Huamán had knowledge of our community". However, Isaac Huamán Pérez, ex-director of DRAU, was himself sentenced to 18 months in prison for illegally giving land belonging to Native Communities or state to family members, DRAU employees, and politicians (Praeli 2018). Under Huamán, the DRAU played a big part

in creating an enabling environment for land trafficking. All illicit land transfers in Ucayali were facilitated by illegal issuance of property titles by the DRAU (Praeli 2018).

It is impossible to find one 'truth' in these complicated webs. Some trusted informants defended both Nuevo Sol and Isaac Huamán, while other trustworthy contacts and media confirmed Huamán's involvement in corrupt networks. Moreover, several of my contacts accused each other of corruption. As I was untangling this complex maze, I wanted to understand different actors, perspectives, and motivations. While claims to 'the truth' are often made, in reality, there are only perspectives. Identifying problems is necessary to protect Indigenous rights and territory, but equally important is to reach an understanding which moves beyond seeing only black and white.

While formalization of Indigenous land rights could be an end goal and guarantee for territorial security, the situation in Atalaya proves that this is not the case. Under a weak or corrupt state, formalized rights easily slip back into informality (Cronkleton and Larson 2015). In Peru, the informal sale of land demonstrates this.[33] Corruption thrives, enhanced by low wages and the lack of communication between governmental institutions. Both Indigenous and non-Indigenous people profit, although land traffic contributes to the fragmentation of the ancestral territory and thus goes against wider Indigenous interests.

The following case further illustrates the complexity of situations and suspicions of land trafficking.

[33] The prevalence of land invasions (by families, groups or companies) also proves this. This is not discussed as it is not within the scope of this thesis.

8.4. Case 2: Antamishi de Oro – Selva Virgen



Figure 21. Navigating the Urubamba River to reach the community. Source: Myrah Vandermeulen.

Along the Urubamba River, the communities of Antamishi de Oro (short: Antamishi) and Selva Virgen are involved in the region's most dramatic conflict, caused by mutual accusations of land trafficking. Antamishi has been located here since 2012, sharing space with a group of Andean immigrants. In 2016, shortly after the Peruvian state reinitiated communal land titling, the Indigenous group split from the non-Indigenous people and moved across the river, to officially become solicit land title as Native Community. Months later, another group, led by an Asháninka woman and her Andean husband, arrived and claimed the space as their land.[34] Violently (with "*machetes y flechas*") they expulsed Antamishi's inhabitants from their houses. During this displacement, the DRAU came by to verify the existence of the two communities, as both had requested recognition as Native Community. The vice-jefe of Antamishi told me: "*Agricultura* [DRAU] found only them. None of us were in the village. They showed DRAU our houses, our school building, as if they were theirs—pretending that we do not exist" (interview 2019-10-01). A DRAU employee confirmed to me that there was no sign of Antamishi de Oro. He believes Antamishi to be an association of "*parceleros*

[34] This information is based on interviews with different actors. However, other actors will tell another story. It is therefore a personal opinion. Names of involved actors from DRAU and Selva Virgen were changed.

colonos" (individual settlers) and no community. Selva Virgen's leader Maria describes Antamishi as a group of Asháninkas controlled by an association of Andeans, with the objective of trafficking land. Accusations of corruption are reciprocated, as Antamishi believes Maria to have bribed 'Agricultura'.

After the eviction, Antamishi called in the help of the 'Asháninka forces'. 72 Asháninka men from various communities formed an auto-defence group and arrested Maria and her husband under the mark of the 'citizen arrest', before handing them over to the police. Maria then unsuccessfully sued them for kidnapping.

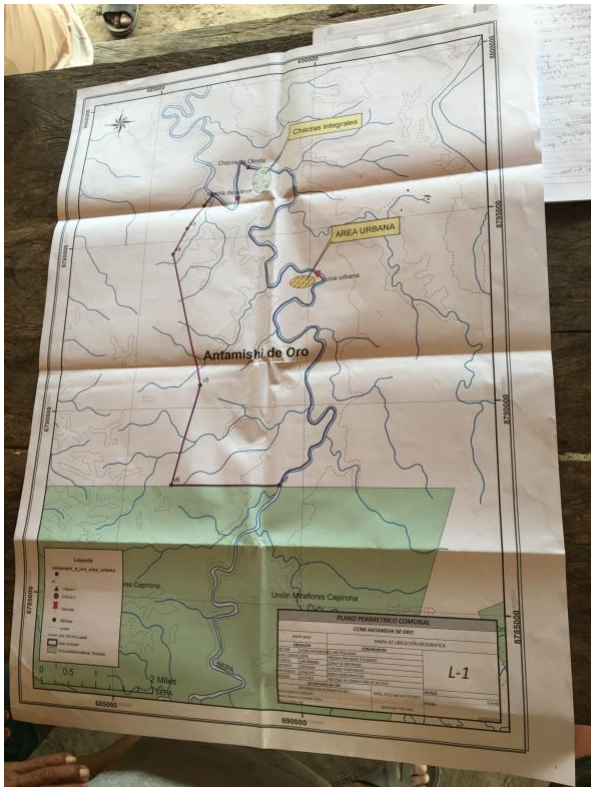


Figure 22. Antamishi's proposal. Source: Myrah Vandermeulen (photo of map shown to me by Antamishi's comuneros).

After these violent episodes, the two communities are now back 'home'—at mere 200 meters distance. Both communities are reluctant to share the land. When I visited, this was on invitation by Antamishi de Oro (which naturally influenced my observations). When I informed Maria about this invitation, she replied: "Which community? It doesn't exist. You are on our territory—without our permission". Yet, although both communities have solicited recognition as Comunidad Nativa, neither counts with a land title yet. When Antamishi organized their monthly clearing of the football field, located between the two community centres, Selva Virgen came out to film "for evidence". This is quite common; both communities

are always collecting 'evidence', filming public or suspicious activities of the other group. While many of these 'pieces of evidence' do not prove anything, it serves to reinforce their arguments. Historically, IPs' calls for justice have been ignored by the government, and being in possession of evidence—photos, official documents etcetera—might help to make their concerns heard.

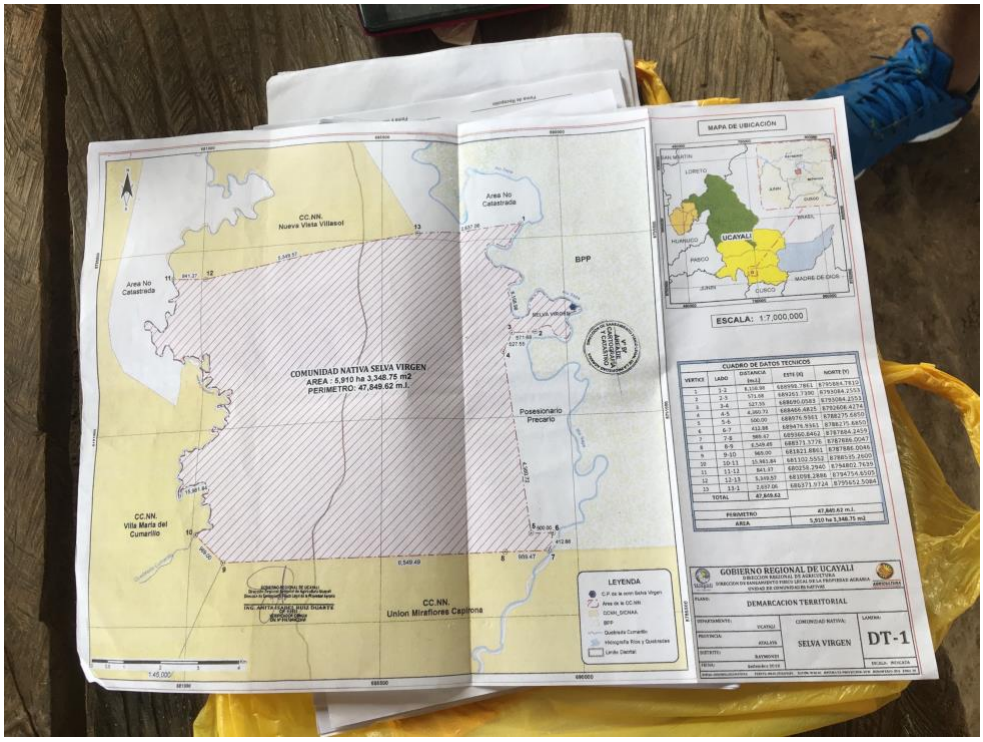


Figure 23. Selva Virgen's proposal. Source: Myrah Vandermeulen (photo of map shown to me by Selva Virgen's comuneros).

> "They hire indigenas from Gran Pajonal to come and pretend to live here, making them all sorts of promises. But after months without payment, they leave. Thus, Maria's 'comuneros' change every two months."
> (Antamishi comunero, 2019-11-02)

Selva Virgen is accused of being a 'false community' with a 'violent ideology'.[35] Most of my informants as well as neighbouring communities share this view. Miguel Camaiteri affirmed how several Ashéninkas from Gran Pajonal had indeed travelled to Selva Virgen and came

[35] They are suspected of having Shining Path sympathies. Many people fear the return of this violent organization, and some people state that they have never left.

back disappointed. In CN Tres Colinas, where Maria was a school teacher, she stole their population census which she showed to DRAU as her own (interview 2019-09-25). Using a falsified population census or paying real Indigenous people to come to the community (and 'play the role of chief and comuneros') are common strategies of land trafficking.
Maria on the other hand, claims that Susana Silva from FABU is the brain of a land trafficking operation with Antamishi as accomplice. Nevertheless, most people and local media support Antamishi and FABU. Maria therefore prefers to speak directly to national media, and is most often found in DRAU's office in Pucallpa—where people have less personal knowledge of the case.

In the eyes of outsiders, both communities are perceived as suspicious, or even false communities. Antamishi's recent split from the Andeans is called opportunistic, while this was a sensible decision within the Peruvian climate at the moment, for titling programs were reopened in 2015. Selva Virgen also saw an opportunity to access land at that time. Moreover, right after the UNDP (United Nations Development Programme) launched a new titling project in 2018, a third community appeared. The contested territory of about 5200 hectares should now be divided amongst not two, but three communities (interview 2019-11-18). Notwithstanding the commercial interests behind this conflict, as Indigenous people, they all have the right to claim land. This complex situation illustrates how commercial interests and suspicions of land traffic can play out between communities. There is no clear-cut evidence—and the truth is probably somewhere in the middle. Because the DRAU cannot find a solution and the communities do not reach agreement, no land titles have been granted so far. After many years with (violent) conflicts and failed attempts at reconciliation, the only way out of this conflict seems for the communities to come to agreement and divide the territory, or to find available land for one of the communities elsewhere. The role of IO in solving conflicts is very important. They support the communities in legal and other advice and help to find solutions. Yet, in some cases, the communities have to find a solution themselves. The role of the federations and the Indigenous movement in Atalaya is elaborated on in the next chapter.

9. INDIGENOUS MOBILIZATION

Faced with the complex territorial situation and challenges, how do Atalaya's IPs organize to defend their land? This brings us to the Indigenous movement. For the Indigenous rights movement, the achievement of Indigenous land titles was an important gain for territorial security, as well as for food sovereignty and Indigenous autonomy. The objective of reclaiming territory is intimately connected to the idea of Indigenous autonomy and decolonization. Although united in overarching objectives, the Indigenous movement—especially in Atalaya—is very fragmented. All 'federations' pledge to strive for autonomy, but the many different visions about what this entails and how to achieve this ensure that *autonomía indígena* often remains an abstract goal instead of being a guide for action.[36] Yet, the project of territorial autonomy is the main motivator of Indigenous mobilizations and most federations' reason of existence. Overall, it is the right to take decisions concerning Indigenous issues without state involvement.

In this chapter, the role of federations and mobilization in relation to the territorial question is discussed, with the 'Paro Amazonico' as a recent climax. I also discuss alternative territorial models as proposed by Indigenous federations, and the ways in which these could contribute to real Indigenous autonomy.

9.1. 'Territory' for Indigenous Federations

Soon after the creation of Atalaya's original IOs (OIRA and OAGP), the needs of the Indigenous population exceeded their capacity. Other IOs were created and today, Atalaya counts over 25 federations.[37] These represent the over 150 communities, organized by ethnicity

[36] The meaning of 'autonomy' can vary from programs of 'de-mestization'; separatism; reversion to precolonial forms of governmentality; to a return to ancestral authenticity, etcetera (Liffman 1998). In Atalaya, it ranges from the right to take certain decisions within the territory, to complete territorial self-determination.

[37] Indigenous organizations (IOs) are most frequently called federations.

or region. In FECONAPA's working document (2019), it is mentioned that "IOs emerge with the objective of defending collective rights and Indigenous territories". This objective is repeated in the strategical plans of all federations, together with the goal of Indigenous autonomy.[38] OIRA (2016) speaks of the ancestral territory, with its forests and rivers, as the main life source of current and future generations, which is to be protected through 'communal *territories'*. They name communal land titles as a solution but emphasize the goal of an Indigenous government with free determination of the '*pueblos originarios'*, respecting societal multiculturalism and 'interculturality'.[39] 'Communal territories' are not equal to 'communal lands'. When the federations speak of Native Communities, they emphasize their territorial rights and consistently speak of 'territories'. As discussed in Chapters 4 and 7, communal land titles translate territorial rights into property rights, and do not respect the integrity of the Indigenous territory. Federation CORPIAA (2017) explicitly mentions this integrity by talking about the special relation of IPs with the territory—including air, earth, water and all below and above—and the economic, social, and other interrelations with this space.

> "When we speak of our right to *territory*, instead of *land*, we speak of exercising power … The right to exercise influence and control over what happens inside those spaces, how they are used and managed. The right to partake as collectivities in decisions affecting those territories and their resources. To apply within our territory our norms, habits and traditions. To auto-regulate our forms of social organization and representation, to administer our economy and the exploitation of natural resources, to guard the ecological equilibrium and prevent environmental degradation."
>
> (COICA in Espinosa 2010:255, own translation)

It is questionable whether the institution of titling could ever include 'communal territories' instead of 'lands', even if changed completely. Land titling springs from Western

[38] Based on the working documents of FABU, FECONAPA, CORPIAA, URPIA, OIRA.

[39] '*Interculturalidad'* entails coordination and cooperation of different cultural groups, e.g. in "*salud intercultural*", a health system which incorporates elements from mainstream medicine and from Indigenous medicine.

ontology which makes separations in the physical landscape and in the value of a place, by fragmenting intangible territories (into possessions and into soil-subsoil-water etcetera) and by separating economic from other uses and meanings. While partly reinstating Indigenous territoriality, communal land titles also enable the state to retain a position of power over these territories. It is the state who titles and decides. Therefore, federations demand autonomy, self-determination. "It needs to be *autonomía territorialista.* The region should be closed." IOs claim territoriality—but without the usually associated independent statehood (Lâm 2004). While some IO only do so on paper, others (e.g. FABU) work out strategies similar to confederalism (see 9.3.).

Territorial autonomy is by most perceived as an important step in the process of achieving justice for IPs. It is part of the decolonization process, which must entail the return of *all* land—"and not just symbolically" (Tuck&Yang 2012:7). Decolonization must be guided by Indigenous strategies; thus, by 'territory'. It requires that communities "design their worlds from a space of autonomy" (Escobar 2017:252). Yet, also on this topic opinions vary. John Salcedo Rios, Director of the GDPI and Indigenous Yine, believes that only a strong, well-informed state can improve Indigenous lives and that autonomous federations weaken the state (interview 2019-12-04). While he recognizes anti-indigenismo around him, 'the state' in itself "is not biased". He takes the GDPI, a state institution working for the improvement of Indigenous lives, as proof. Nevertheless, as the current state system is built upon the colonial framework, anti-Indigenous bias is incorporated. The creation of institutions like the GDPI is a step in the right direction, but mostly a symbolic one as they remain without sufficient funding. For true decolonization, systemic change is needed. For this, strategies need to be found in alternative frameworks, not in the colonial framework as they have until now. Strategies should be guided by a pluriversal approach. Indigenous knowledges offer tools and wisdom to design alternatives, and have not been heard sufficiently. The concept of 'territory' provides a framework for decolonization: the land is reclaimed and the *uni*verse makes space for the *pluri*verse.

Salcedo acknowledges that change does not come easily: "The state and the Indigenous peoples are like a father and a son—we have to protest and fight, and only then does the state listen". Likewise, in a workshop organized by ONAMIAP, the participating women declared that all Indigenous rights have cost blood. This is also true for the titling of their territories:

"Everything was achieved through fighting, blood, and alliances" (interview 2019-09-16). Ultimately, the survival and well-being of IPs depends on their own communities and mobilizations (Greaves 2018). An important Indigenous mobilization in Atalaya, initiated by the federations, is the Paro Amazonico.

9.2. *Paro Amazonico*



Figure 24. Indigenous people protesting on the streets of Atalaya, during the Paro Amazonico. Source: AIDESEP 2018.

In August 2018, the IPs of Atalaya organized the 'Paro Amazonico' or Amazonian strike. People gathered in the town of Atalaya to block rivers and roads and halted local economy for almost 20 days, demanding to be heard. This strike was the culmination of years of frustrations, of demanding governmental support, without any response (interview 2019-09-17). The strike united all Native Communities and transcended organizational divisions, to present a list of demands to the Peruvian government: the titling of all communities; the creation of a Communal Indigenous Reserve to end land invasions and place empty in-between spaces under Indigenous control; recognition and support for community vigilance committees to control invasions and illegal logging; reparations for mercury poisonings; and lastly, the cancellation of fines for transgressions of forest law (SPDA Actualidad Ambiental 2018). For many communities, this last demand was priority. All responsibility for infractions of forest law falls entirely on communities, whereas the extractive companies carry none. As a result, many communities find themselves in debt and with their leaders imprisoned.

For demands to concern both land and resources is logical, as both are intrinsically connected and part of the integral territory.[40] As long as companies and state remain in control over resources, there cannot be true Indigenous territoriality or autonomy. Some federations therefore demand full Indigenous control over resources.

The strike incited the government to take actions. Firstly, alternative payment mechanisms for the fines were established: communities can opt for conservation of a piece of their territory or for reforestation. Although a welcome measure and a recognition of the value of the living forest, this is yet another way to exercise state control over resources under Indigenous guardianship and to control their territorial use. The power of the timber lobby—the real issue—is not addressed.

Additionally, each demand was met with the creation of a governmental working group (Appendices 4 & 8). The field research conducted by NGO CEDIA, to understand territorial issues, and the interviews conducted with IOs' presidents for the GDPI, support the work of the land titling working group. Also, several titling projects have been (re)initiated, such as PTRT3 (Programa Catastro, Titulación y Registro de Tierras Rurales en el Perú, Tercera Etapa) and MDE Saweto (Mecanismo Dedicado Especifico para Pueblos Indígenas).

Still, according to many, the process is going too slow. The limitations (including new concessioning projects) discussed in Chapter 7, which are not being addressed, illustrate this. A president of another federation states that "the government is making fun of us", and federations FECONAPA and FABU are considering a second strike if things don't move forward (interview 2019-10-19). Likewise, many comuneros are unhappy with the outcomes. Oda, from CN Union San Francisco, states that his community's objective to participate was to have their fine cancelled, which did not happen. Participation is often motivated by specific goals, and not with the 'greater Indigenous movement' in mind.

[40] For more information on the relationship between Atalaya's communities and federations on the one hand, and timber companies and state on the other, see this article (in Dutch): Vandermeulen, Myrah. 2020. In Peru botsen bevolking en houtindustrie over bossen en rechten. *Mo Magazine*. https://www.mo.be/mopaper/peru-botsen-bevolking-en-houtindustrie-over-bossen-en-rechten

Although the current situation is challenging, Indigenous mobilization is key to changing this. Ideas about autonomy differ, but (one way or another) all federations agree that Indigeneity is linked to territoriality and strive towards the recuperation of the integral territory. Yet, apart from lack of political will and obstruction by the state, corruption within the Indigenous movement is a great obstacle. While all IOs were created with the safeguarding of Indigenous territory as at the start their only, and today their first objective, corruption leads certain IOs (or leading individuals) to be involved in land trafficking and thus go directly against Indigenous interests. Also, since the arrival of oil companies in the 1990s, federations spring up like mushrooms. Companies like Repsol and PlusPetrol pay compensation or 'organizational support' for the right of passage through Indigenous territory. Oil money has divided the movement. This was instigated both top-down, the colonial divide-and-rule, and bottom-up, as materialistic ideals emerge within the Indigenous movement. This erasure of Indigenous unity and its replacement by individualism and predatory capitalism, undermines resistance (Alfred & Corntassel 2005).

These challenges make the Paro Amazonico a historic moment; federations joined hands. However, those same federations are blamed for unsatisfactory outcomes (interview 2019-09-15). The already scarce trust in the IOs has, since the Paro, only shrunk.[41] As a reaction to the strike, oil companies increased their compensations to federations. Maria Angelica, apu of Santa Rosa de Laulate, states: "The money from Repsol goes straight to the federation president's house. They don't work for us, the Indigenous people" (interview 2019-09-20). According to her, the people are not heard and the strike has not brought any improvement to communities.

Much remains to be done; by state, Indigenous movement, and wider society. Mobilizations such as the Paro Amazonico incite this change. As Acla Ríos Marihua, president of

[41] Of all IOs, people mostly trust FECONAPA and FABU. (This came up in interviews with comuneros from various communities, not all affiliated with either one of these two organizations. The trust in FABU is one of the reasons why I chose to work with FABU.)

This changes continually – as leaders change, organizations' character does too. National organization AIDESEP seems the only IO with which all comuneros can identify, for the role it played in liberating Atalaya's peoples. As Angel, son of Susana Silva, said: "*Todos somos AIDESEP*. We are AIDESEP from birth" (27/9/2019).

FECONAPA, states: “The strike made us come together. That is why we are now talking with the state” (interview 2019-09-28). While imperfect, this kind of cooperation between IOs is essential to ensure Indigenous voices be heard. To enhance trust and transparency and prevent corruption, federations could work with comuneros in more participatory ways. Certain federations work to improve this, by opening their offices and organizing monthly assemblies to inform and involve member communities.

9.3. Alternatives?

Until IPs have full say over the integrity of their territory—subsoil and forest, rivers and land—there is no true Indigenous territoriality or autonomy. At present, Indigenous self-determination is reduced to a set of decision-making rights within the state’s framework. For many, this is too little. As Grubačić notes; under conditions of capitalist hegemony, all attempts at exit from the system remain partial, and autonomy can only be ‘relative’, never absolute (Ross 2014).

The wider Indigenous movement and local federations work towards alternatives. An example is the Paro Amazonico’s demand for a Communal Reserve. A Communal Reserve would secure a larger part of the ancestral territories, place it under Indigenous management, and prevent the concessioning of these areas. However, this demand was not heard. Of the many Reserves proposed since the 1978 Native Communities Law, only two have been established. Furthermore, these were placed under state management and don’t fully represent Indigenous interests. From colonization to the present, the state has been the main perpetrator of violence to Indigenous peoples wherefore true (restorative) justice cannot be achieved through these same state institutions and frameworks (Greaves 2018). Therefore, alternatives should be (co-)shaped by Indigenous knowledge and living worlds. Instead of (fruitlessly) waiting for state support, IPs need to “create something new, of ourselves” (Ñaco 2019-10-01).

9.3.1. Asháninka self-government

> “We are 70 years past the foundation of the United Nations, the achievement of human rights, Indigenous rights… Now, what follows? The reconstruction of our worlds; their political, social, cultural fabric. The reconstruction of ancestral governing, of

> Asháninka, Shipibo, and other ancient peoples. This reconstruction is a *rencuentro* [reconciliation, reunion]—an ancestral, spiritual *rencuentro* with the rights and wisdoms of our ancestors."
>
> (Ñaco 2019-10-01)

In the 1990s, the Indigenous movement of Gran Pajonal, led by OAGP, declared their region 'Patrimonio Asháninka'. This included the "spaces which the states calls '*libre'* but which are not" (interview 2019-09-17). This was never officially recognized by the state, and with the arrival of the road in 2005, arrived new settlers who occupied the 'empty spaces' between communities. OAGP then decided to support the creation of new communities, for these offer legal protection. Today, all Asháninka communities (but one) are titled. There is no fear for further invasions, but the dream of a unified Asháninka territory has been buried.

Further east, several Asháninka groups work to realize a similar vision. Asháninka federation FABU envisages an autonomous territory of all Asháninka communities of the Urubamba river. FABU's vice-president Guillermo Ñaco emphasizes that the Indigenous conception of an integral territory ("*territorialidad*") is incompatible with the current statist framework (interview 2019-10-01). According to him, a process of reconstituting Indigenous governments should be initiated, within the Indigenous rights framework. This does not mean *separation* from the state, but a *new relationship* with the state; nearing a nation-to-nation relationship (Alfred & Corntassel 2005). While inadequate, communal land titles already entail a reciprocal IP-state relation: by formalizing Indigenous communities, the state recognizes the existence and rights of IPs, and by making claims and demands, IPs recognize state authority (Rasmussen & Lund 2018). Yet, the state does not recognize the Indigenous right to autonomy. Through a 'nation-to-nation' approach, IPs could take their rightful place in the process of state decentralization.[42] Autonomous Indigenous self-governments would contribute to a "true decentralization, administered by Peruvian, Indigenous citizens themselves, for their own territories" (Ñaco 2019-10-01). While the 'Asháninka government' would remain within the Peruvian government's constitutionality, it would enjoy a high degree of independence within the decentralized state.

[42] This process was initiated with the country's division in (semi-)autonomous regions, but its continuation is paused.

The Asháninka *autogobierno* parallels the proposal of the Awajún people in Northern Peru. With the 'Awajún Integral Territory', the Awajún solicited the recognition of the entirety of their ancestral territory, without artificial frontiers. It would not be divided by Comunidades Nativas, nor by administrative political frontiers (cities, provinces and districts). They created this from the conception of territory as multidimensional and integral, as sacred, as meeting place of humans and non-humans, and as essential for life sustenance (Burneo 2018). Likewise, the proposed Asháninka territory would transcend atomism of meanings, resources and places. FABU envisions a return to old migration patterns within the territory, facilitating movement between communities. While titles have hindered the "integral development" of "integral life" of the Asháninka people, because they enact the Western viewpoint, the creation of the Integral Territory would stimulate this (Ñaco 2019-10-01). As people have come to identify with their Native Community—frequently more than with the broader ethnic group—communities would continue as separate entities within the integral territory (interview 2019-09-19). Important decisions about resource-use would be made at the level of the Autogobierno Asháninka, and other decisions by the communities. Current non-Indigenous inhabitants of the region would not be expelled, but approached as allies by the Asháninka government—while not necessarily subjected to its decisions—or excepted from the territory. Autonomy "does not imply the expulsion of non-Indians, only their equality with the formerly subordinated peoples" (Liffman 1998:22).

Furthermore, the Asháninka Integral Territory would contribute to keeping an ecological balance, allowing for shifting agriculture, rotational hunting and gathering, allowing nature space and time to regenerate. This is in line with the ecological conscience inherent to the Asháninka belief system, where the smallest insect has an important role and balance must be protected (Chapter 4). This Asháninka way of life can only be practiced within integral territoriality. A territory divided into plots, with titles which give humans the 'right' to impose their will over a piece of this Earth, inhibits this co-wardenship.

Naturally, each Indigenous people should evaluate their own situation. Each group has their ways of articulating self-determination (Alfred & Corntassel 2005). Ñaco places the Asháninka in the list with the Awajún and the Wampis. However, Lily La Torre Lopez, who is acquainted with their situation, makes a distinction (interview 2019-10-22). While the Wampis, the Awajún, and the Achuar—three Peruvian peoples who achieved a strong degree

of autonomy—have lived on the same territory for generations, Asháninka groups only returned to Atalaya in the last century.[43] Therefore, the Asháninka in Atalaya are not unified but scattered. They face constant threats of invasion and violence, or are themselves involved with land traffic or coca-production. For the Wampis, the independization process was born naturally. This is not the case for the Asháninka. While "haste would be counterproductive", conscious action is needed (La Torre 2019-10-22). A first step is the construction of a strong basis to deal with threats and conflicts. For this reason, titling of communities (with all its limitations) is priority, to ensure much-needed legal protection.

As discussed in Chapter 3, IPs are often regarded as a threat to the 'nation'. To manage this threat, IPs are denied autonomy and dependence on state protection is consolidated (Wolfe 2006). The state is reluctant to allow autonomous Indigenous governments. The settler state is legitimized by the invisibilization of Indigenous histories, identities and spaces. By claiming their rights and representing alternative spaces of possibility, Indigeneity threatens colonial frameworks (Guzmán 2013). They demand space for other worlds, representing a pluriverse, by unveiling dimensions and living the integral territory. These alternatives are invaluable for the decolonization process. They entail both a material reclaiming of territoriality, and a symbolic 'space-making'. Decolonization must provide "space of appearance" for those rendered invisible by colonial legacies (Postero 2017). Listening to, considering, and supporting Indigenous proposals is imperative. While not all proposals are easily attainable (or desirable) they inspire much-needed conversation. In this conversation and the constructing of alternative worlds, all contributions must be heard, including the many different perspectives within the Indigenous movement.

[43] Yet, Atalaya is part of the ancestral Asháninka territory, which extends from the Selva Central to Brazil. Many Asháninka settled in other parts of the territory.

10. CONCLUSION

In this dissertation, I have discussed the meaning of Indigenous land titles for the specific Peruvian region of Atalaya, and explored whether communal land titles contribute to a process of decolonization through advancing *autonomía indígena.* I did this by first analysing the meaning of Indigeneity and Indigenous territoriality. After studying the ontologies behind state and Indigenous perspectives, especially salient in meanings of 'territory' and 'land', we arrived at the legal framework for communal land titles in today's modern Peru and the case of Atalaya. In Atalaya, Indigenous federations strive to have all communities titled, but (post-)titling issues and territorial issues remain.

My research question was whether communal land titles can bridge the oppositional views of (1) valorising land for its economic value, making it a commodity, and (2) inhabiting an integral, multidimensional territory. These views reflect the ontologies of the Nature/Culture dichotomy, a one-world world with no room for alternative knowledges, and Indigenous pluriversal cosmologies, fostering the existence of multiple dimensions and worlds.
Communal land titles contain elements of both ontologies—or rather, both sides of the continuum. By making land collective property, capitalism's basic law of individual property is bypassed. Yet, although partly reinstating Indigenous authority over their territories, the state continues to regulate the internal organization of the Indigenous community to retain control over resources. Forests, rivers and subsoil remain state property, in line with the continued importance of economic 'resourceness' and legitimized by the idea that the land rightfully belongs to the state. It is forgotten that Indigenous territories and Indigenous right to land preceded the formation of the modern Peruvian state. The limiting legal framework, inadequate implementation of land titles, pro-timber bias, anti-indigenismo and focus on economic growth which cause Indigenous land use to be seen as unproductive, and widespread corruption and greed (of both Indigenous and non-Indigenous actors) are all factors which hinder the rapprochement of state and Indigenous population. While Indigenous land titling represents a positive evolution of democratic inclusion of IPs, this inclusion remains constrained by the settler colonial framework and its racially biased structures which prioritize 'productive' use of land and disregard Indigenous knowledges (Greaves 2018). Communal land titles offer a necessary degree of protection in the current system, but they do not entail integral territoriality

and do not respect Indigenous cosmovisions. They can therefore be analyzed as both enabling and constraining Indigenous lives and autonomy.

Perhaps the question should not be whether communal titles bridge the ontological opposition, but rather whether this opposition *can* be bridged. Today's territorial conflicts demonstrate that this 'opposition' is not black and white but with many grey areas; conflicts occur between communities and other actors, but also inter- and intra-communally, with comuneros fighting over resources. Ongoing difficulties might obstruct progress and cooperation, but—following Escobar—territorial struggles can bring us valuable knowledge for a needed (ecological) transition. Apart from uncovering tensions and divergences, they compel us to develop new strategies. This leads to the envisioning of "realizable utopias for the construction and entanglement of worlds toward the pluriverse" (Escobar 2017:250). So, the alternatives proposed by Atalayan IOs—Communal Reserves and Indigenous self-government—spring from their experiences of conflict, overlap, land traffic and invasions. The discussed cases of Atalaya's titled and untitled communities, with problems of overlap with state forest, land trafficking, 'land's end', internal contradictions and difficulties, and overall territorial insecurity and confusion, unveil structural problems. These have to do with inadequate communal land titles, but also with the institution of titling itself which has an inherent statist bias.

Yes, the conflicting ontologies can be bridged. The problem is that strategies all spring from one ontology: the one-world world. These strategies are born within the capitalist framework of drawing boundaries, of categorizing and making legible. Would it not make more sense to look for strategies in the other ontology? The multidimensional pluriverse will logically have more ways to see reality than the unidimensional one-world, allowing space for other worlds' existence. Furthermore, our narrow one-world view limits ourselves. Brown notes how the desire to 'conquer' space reflects our desire to extend our self-imposed reality. He remarks how futile this quest is, "since even such seemingly limitless reaches of space, being always of a material and thus quantitative order, are still within the domain of limitation" (1982:38). The concept of 'territory' on the other hand, is much less self-limiting. Encompassing a multi-dimensional integrality, territory cannot be measured, in time nor space. Territory is the connecting tissue between dimensions—of spirits, humans, elements, ancestors, plants, above and below—and embodies a pluriverse.

It is time to let strategies be guided by a pluriversal framework, and stop using the 'master's tools' aka colonization's tools. Decolonization requires an ontological shift. It also requires the recovery of Indigenous territory. In decolonization, symbolic and material reparations are inseparable. The concept of 'territory' provides a framework to unite these two. The land is reclaimed and the *uni*verse makes space for the *pluri*verse—a space where IPs can design their own worlds (Escobar 2017). Moreover, decolonization must make visible those invisibilized by coloniality (Postero 2017). Where the colonial concept of 'Terra Nullius' erased IPs from their own territories, the reclaiming and recognition of Indigenous territory undoes this. It is therefore crucial for decolonization that the Peruvian state recognize and guarantee Indigenous rights to land, in accordance with criteria drafted by IPs themselves. In drafting these criteria, internal contradictions will arise, but this is a long-term practice in which all voices are to be heard.

Colonialism made land into property and reduced human relationships to land to "the relationship of the owner to his property" (Tuck & Yang 2012:5). Decolonization should therefore entail the abolition of land as property (ibid.). For us, trained in uniform linearity, it is hard to even imagine such a world. This proves the extent of what we can learn from Indigenous knowledges. This is the difficult way towards decolonization, and will enrich us by breaking free from this self-limiting world. This transition will necessarily also be an ecological transition, and make us more human in a more-than-human world. We have right to our place in this world, but our relationship with the land needs to go beyond one of ownership towards one of 'cocreative union' (Suler 2020). Our alienation from the Earth—and ourselves—as a consequence of the Nature/Culture divide, has led to the dire climatological and environmental situation we find ourselves in today. Commodification, colonization, privatization; those big (destructive) processes, are both at the root of and spring from this disconnection and our perceived—but fictional—individualism. Installing private property, placing fences, cut us off from our surroundings. Indigenous ontologies, while in continual transformation, are a guide for us to re-embed ourselves again within this Earth and its many dimensions; to restore our organic relation to the land by also rediscovering our own animist ancestries.

More than bridging ontologies, the clash between ontologies could lead to something new. The legend of the Eagle and the Condor, originated in the Amazon, speaks of the people of ratio (Eagle) and the people of intuition (Condor). The legend tells how the Eagle would

dominate and nearly extinguish the Condor—paralleling colonial capitalism's domination—and continues to state that Eagle and Condor peoples would finally unite and form a 'new humanity'. The ontologies and visions on 'land' and 'territory', discussed in this dissertation, can be viewed as an expression of this clash of ratio and intuition. As stated, this confrontation compels us to rethink strategies and frameworks. New strategies will be guided by Indigenous cosmologies, and also by Western ideas and ways of living, as these have become so very entangled. The situation in Atalaya demonstrates that IPs are no homogenous group but internally divergent with different ideas and desires, also influenced by Western (capitalist) ontology. Instead of looking at either one ontology as 'bad' or 'good', seeing the entanglement as a negative evolution (which might imply romanticizing Indigenous cultures), we can see an opportunity. Indigenous knowledges and understanding of the wider ecosystem and natural beings and Western technological and scientific knowledge can complement each other into a synergy—something more than the separate parts. Our collective wisdom, of diverse cultures and cosmologies, can develop new ideas and relationships between human and more-than-human world.

The alternatives proposed by Atalaya's Indigenous movement are steps in this direction. However, lack of political will hinders their realization, and the fragmentation of Atalaya's Indigenous movement prevents the proposals from being supported by all. Still, Atalaya's IOs are growing in strength and proposals such as the Asháninka self-government are ways of (re)claiming territoriality, through reshaping IP-state relationships. Their ideas unite ancestral and new ways, by combining ancestral culture and territory with modern governmental models. This can inspire the state of Peru towards a new approach of Indigenous territories.

Future research could go further in unveiling internal tensions of Indigenous peoples, communities and federations, and reach more nuanced understanding of the (simplified) opposition between worldviews. I encourage researchers to dive into the topic of land/territory and include spiritual knowledges in their research, as this deepens understanding. Furthermore, I encourage environmental activists to look into these topics and include them in strategies for a new world.

To conclude, I argue for the concept of 'territory' as a guide for decolonization. Communal land titling is part of a process of moving past an exclusive focus on (private)

property, but cannot overcome the colonial property-framework. This can only be done by opposing the dominance of Western ontologies. The ontological shift demanded by decolonization should be a shift towards a pluriversal ontology, which creates space for elements from Western and Indigenous (and other) ontologies to interact on terms of equality and complement each other into a new whole. Also in Europe and the wider world, we need to rethink our conceptualization of land and ownership and restore our relations with human and non-human kin. The Indigenous integral territory is a guiding concept to re-embed ourselves in our ecology—our relationship with the living land.



Figure 25. Source: Myrah Vandermeulen.

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APPENDIX 1: List of interviews and field work events

In total, I conducted 44 interviews. I interviewed 12 community leaders (4 women, 8 men), 4 Indigenous 'elders' (1w, 3m), 5 community members who do not fit in other categories (2w, 3m), one representative of NGO CEDIA (m), presidents and representatives of in total 9 IO (3w, 6m), 11 government functionaries of 7 different institutions (1w, 10m) and 3 representatives of the GIZ (2w, 1m). I was present at 5 official meetings with government institutions about land issues, and 2 informal meetings with government actors. I participated in two workshops organized by OSINFOR, as well as one workshop by ONAMIAP, and one workshop by URPIA. Apart from that I visited 15 communities, of which 13 in Atalaya (8 in the region of Gran Pajonal) and 2 in the province of Coronel Portillo. These communities were predominantly Ashéninka (8) and Asháninka (3), two were Asháninka-Yine-Machiguenga, and the two communities outside Atalaya were Shipibo, visited for my volunteering work for Alianza Arkana's reforestation and agroforestry projects.

Here I include a list of the interviews I conducted, with the location and date. As in the thesis, I use the format yyyy-mm-dd.

To look into transcriptions or access audio recordings, please contact the author.

Date	**Type of event**	**Name/function**	**Location**
2019-09-02	Meeting about conflict resolution strategies	Lily La Torre Lopez, an anthropologist from Lima, and two DRAU functionaries	Pucallpa, DRAU office
2019-09-04	Interview	Nerio Reategui, representative of Area of Comunidades Nativas (ANC) in Atalaya	Pucallpa, DRAU office
2019-09-04	Interview	Roger Gomez, DRAU employee	Pucallpa, DRAU office
2019-09-10	Interview	Elcidio, the apu of Chicosa	Atalaya, Hotel meeting room
2019-09-10	Interview	Two girls from CN Betania	CN de Aerija
2019-09-11 to 2019-09-13	Workshop of Communitary Forest Management	Organised by OSINFOR	Atalaya, OSINFOR office

2019-09-12	Interview	OSINFOR employee	Atalaya, OSINFOR office
2019-09-11	Interview	Comunero from CN Nuevo Italia	Atalaya, park
2019-09-12	Interview	Comunero from CN Impamequiari	Atalaya, park
2019-09-13	Meeting for conflict resolution between CN Chicosa and CN Pandishari	Comuneros from both communities, representatives OIRA and FECONAPA, Nerio Reategui	CN Chicosa
2019-09-14	Interview	Roberio Casanto Castillo, apu of CN Inkaare	Atalaya, main plaza
2019-09-14	Interview	Bernardo Silva, Asháninka leader	Atalaya, Hotel Chino Alanya
2019-09-15	Meeting about georeferencing	Comuneros from CN Santa Rosa de Laulate and DRAU representants, Nerio Reategui	CN Santa Rosa de Laulate
2019-09-15	Interview	Oda Zete Carrerio, comunero from Union San Francisco	Atalaya, main plaza
2019-09-16	Interview	Susana Patricia Silva Morales, president of FABU and Guillermo Ñaco, legal counselor	Atalaya, FABU office
2019-09-16	Interview	OIYPA (Organización Indígena Yine de la Provincia de Atalaya) president	Atalaya, OIYPA office
2019-09-17	Interview	URPIA representative	Atalaya, URPIA office
2019-09-17	Interview	OAGP vice-president, Ydelfonso Campos	Atalaya, Gerencia Territorial
2019-09-17 & 2019-09-23	Interview	OSINFOR director	Atalaya, OSINFOR office
2019-09-17	Interview	CORPIAA president, Edwin José Jumanga Ruiz	Atalaya, CORPIAA office

2019-09-18	Interview	DRAU employee	Atalaya, Agencia Agraria
2019-09-18	Interview	Apu of CN Aerija	Atalaya, main plaza
2019-09-19	Interview	SOFFSA employee	Atalaya, SOFFSA office
2019-09-19	Interview	Susana Silva, FABU president	Atalaya, FABU office
2019-09-19	Interview	FECONAPA President, Acla Ríos Marihua	Atalaya, FECONAPA office
2019-09-20	Workshop	Recognition of forestry species, with forestry engineering students	Atalaya, university UCSS Nopoki
2019-09-20	Interview	Apu of CN Santa Rosa de Laulate	Atalaya, Feria
2019-09-20	Interview	SOFFSA director, Ingeniero Cambero	Atalaya, SOFFSA office
2019-09-22	Interview	Apu of CN Nuevo Sol	Atalaya, Hotel Chino Alanya
2019-09-23	Interview	SOFFSA Lawyer	Atalaya, SOFFSA office
2019-09-23	Interview	Amelia Coronado, Asháninka elder and midwife	Atalaya, Hotel Chino Alanya
2019-09-24	Interview	Apu of CN Sapani, Anamaria Mendoza Nishicori	Atalaya, main plaza
2019-09-24	Interview	President of ORMIPA, Daysi Zapata Fasabi	Atalaya, Hotel Chino Alanya
2019-09-25	Interview	Vice-chief of CN Tres Colinas, Marcos Espinoza	Atalaya, FABU office
2019-09-26 to 2019-09-28	Workshop	Exchange of experience of URPIA's member communities about Management and Monitoring of the Forest	Atalaya, La Cabañita

2019-09-28	Workshop	For female Indigenous leaders, organized by ONAMIAP	Atalaya, FECONAPA office
2019-09-27	Interview	Apu of CN Sepahua, Carmen Caseres Castro	Atalaya, café
2019-09-30	Meeting about land titling	Leaders of communities, state officials, NGO representatives	Atalaya, La Cabañita
2019-09-30	Interview	Apu and others from CN Nueva Alegria	Atalaya, main plaza
2019-10-01	Interview	Guillermo Ñaco, legal counselor of FABU	Atalaya, FABU office
2019-10-01	Interview	Comuneros from CN Antamishi de Oro	Atalaya, FABU office
2019-10-09	Interview	GIZ employee	Pucallpa, GIZ office
2019-10-14	Interview	Employee of Gerencia Territorial	Pucallpa, Gerencia Territorial
2019-10-14	Interview	IDER director	Pucallpa, IDER office
2019-10-15	Meeting about titling projects and evaluation of progress since Paro Amazonico	Representatives of state, IOs, NGOs, GIZ	Pucallpa, DRAU
2019-10-21	Interview	FEMA employee	Pucallpa, FEMA office
2019-10-22	Interview	CEDIA director, Antonio Collantes	Pucallpa, CEDIA office
2019-10-22	Interview	Lily La Torre Lopez, GIZ	Pucallpa, GIZ
2019-10-23	Interview	SERFOR employee	Pucallpa, SERFOR office
2019-10-25	Interview	ORAU representative, Eric Vazquez Sanchez	Pucallpa, ORAU office

2019-10-28	Interview	Landowner in Atalaya	Atalaya, personal address
2019-10-30	Meeting about land titling project PTRT3	Stakeholders in project: community leaders, NGO representatives, DRAU officials	Atalaya, La Cabañita
2019-11-02 to 2019-11-04	Field visit	Visiting CN Antamishi de Oro & CN Selva Virgen	CN Antamishi de Oro & CN Selva Virgen
2019-11-08	Interview	CEDIA and OAGP representatives	Oventeni, Agencia Agraria
2019-11-09	Field visit	Apu and comuneros of CN Chengari	CN Chengari
2019-11-09	Field visit	Apu and comuneros of CN Quiahuanero (anexo Contateni)	CN Quiahuanero (anexo Contateni)
2019-11-09	Field visit	Apu and comuneros of CN Bajo Chincorini	CN Bajo Chincorini
2019-11-09	Field visit	Apu and comuneros of CN Quiteriavo	CN Quiteriavo
2019-11-09	Field visit	Apu and comuneros of CN Cantoteni	CN Cantoteni
2019-11-10	Interview	Miguel Camaiteri, Ashéninka leader	On the road
2019-11-10	Interview	Apu of CN Mañarini	Oventeni, personal address
2019-11-10	Interview	Son of the first missionaries of Oventeni	Oventeni, personal address
2019-11-10	Field visit	Apu and comuneros of CN Ponchoni	CN Ponchoni
2019-11-13	Interview	Family of mestizo landowners	Oventeni, hotel
2019-11-15	Field visit	Apu and comuneros of CN Pauti	CN Pauti

2019-11-18	Interview	Susana Silva and Guillermo Ñaco from FABU	Atalaya, FABU office
2019-12-02	Interview	Mario Pezo, former mayor of Atalaya and timber lord	Pucallpa, personal address
2019-12-04	Interview	John Harold Salcedo Rios, Gerente of GDPI	Pucallpa, GDPI

APPENDIX 2: Interview questions/topic list

A. Información general

1. Cuantas comunidades están titulados
    - En Ucayali
    - En Atalaya
    - → cuantas faltan? ¿Cuantas están en proceso, han solicitado?

2. Cuantas concesiones + qué tipo de concesiones + para cuanto tiempo
    - En Ucayali
    - En Atalaya
    - Cuantas hectáreas
      + que empresas?
3. ¿Cuantos conflictos de tierra han sido contados en la región?
    - Ucayali
    - Atalaya
4. ¿Que tipos de conflictos?
    - Entre ccnn
    - Entre comuneros
    - Entre ccnn y concesioneros
    - Entre ccnn y persona con certificación
    - Entre ccnn y persona/agricultor sin certificación
    - Entre ccnn y propiedad privada
    - ¿Otros tipos?
5. Como es la división 'indígenas/non-indígenas'?
6. ¿Quien deforesta? (en Atalaya/Ucayali)
    - ¿Actores locales, indígenas, mestizos, migrantes?

B. Las federaciones indígenas

- La organización

1. ¿Qué diría que es la razón de existir de la organización?
   ¿Y su ultima meta?
    a. ¿Cuándo dicen 'autonomía', que quieren decir con eso exactamente?
    b. ¿Como quieren llegar ahí? ¿Qué relación deseen tener con el estado peruano?
2. ¿Son representativos para todos miembros de sus comunidades bases?
    a. ¿Por elecciones, la asamblea?

- Economía

3. ¿Las CCNN son dependientes del bosque? ¿Como es su economía (más capitalista o subsistencia)?

4. ¿Las CCNN gestionan ellas mismas su contacto con el mercado, para comercializar recursos? (¿o dependencia de empresarios?)

- El tema de tierra

5. ¿Como es su uso de tierra
   y como perciben la tierra? (¿palabra para 'tierra' en su idioma?)
6. ¿Cuántas de sus CCNN están tituladas,
   y cuantas no?
    a. ¿Que son las ventajas y las dificultades de tener 'tierra comun'?
    b. ¿Cuanta protección ofrecen los títulos de tierra?
        i. ¿Protección contra qué?
    c. ¿Es una manera efectiva para obtener 'seguridad de terreno'?
    d. ¿Hace falta seguridad también después de obtener titulo?
7. ¿Falte reconocimiento de ciertas comunidades?
8. ¿Como describirían el 'tráfico de tierras'?
    a. ¿Quien participa en eso?
    b. ¿Es posible pararlo?
    c. ¿Corrupción?
    d. ¿Hay ocupación ilegal de tierra, por traficantes de tierra?
        i. ¿En reacción ha habido movilización?

- Conflictos

9. ¿Qué tipo de conflicto de tierra han enfrentado, antes y actualmente?
    a. ¿Y cuantos conflictos de cada 'tipo'?
    b. (Entre individuales, comunidades, individuales-empresas, individuales-comunidad, comunidad-empresa)
10. ¿Como tratan, o han tratados, de solucionar esos conflictos?
11. ¿Hay conflictos dentro de la comunidad?
    a. ¿Ha pasado que individuales indígenas han vendido tierra de la CN?

- Deforestación

12. ¿Quien deforesta?
    a. (¿Actores locales, indígenas, mestizos, colonos, campesinos, empresas) (¿Cocaleros, petroleros, mineros?)
    b. ¿Es legal o ilegal? (Por concesiones, individuales, tala ilegal…)
    c. ¿Cómo lo perciben? (¿misma opinión en todas la CCNN?)
    d. ¿Están enfocando en conservación, reforestación? ¿Es una prioridad o no tanto?
13. ¿Cuantas concesiones forestales hay? (¿Es todo para madera, hay también ganadería, cultivación…?)
    a. ¿Qué posición toma la federación indígena al aspecto?
    b. ¿Lo ven como algo positivo, neutro, negativo? ¿Depende de la empresa?

- Proyectos forestales

14. ¿Sus CCNN cuentan con veedurias forestales? ¿Como va esto? (*FECONAPA: veeduría forestal de 5 comunidades nativas bases + Programa de Bosques)*
15. ¿En qué proyectos participa su organización, o sus CCNN? (¿O.I. o C.N.?)
    a. ¿Presencia de REDD+ programas en la región?
    b. ¿Proyecto Amazonia 2.0?
    c. ¿FIP?
16. ¿Participación? ¿Percepción?

- Presencia de empresas

17. ¿Se sienten amenazadas por empresas? ¿Qué tipo de empresa?
    a. ¿Madera?
        i. Nombres de empresas
    b. Monoculturas? ¿Que tipos?
    c. ¿Relación con empresas petroleras? No han habido derrames? ¿Ven su presencia como una ventaja, parece de los Planes de Trabajo?
18. ¿Sus CCNN reciben compensaciones de empresas petroleras? ¿Como se usa ese dinero? (¿Es causa de conflicto?)
19. ¿Los miembros de sus comunidades bases trabajan para empresas? (¿Que empresas, motivación…?)

- Movilización social

20. ¿Su federación tuvo parte en la movilización de agosto 2018? ¿Conoces las demandas?
21. ¿Todas sus comunidades bases apoyaron el paro? ¿Todos los comuneros?
22. ¿Después de la movilización de agosto 2018, han sido escuchado? (¿Cosas están cambiando? ¿Sus demandas están escuchados?)
    a. 1) Titulación, ampliación
    b. 2) Reserva comunal
    c. 3) Fortalecer vigilancia territorial para frenar deforestación
    d. 4) Contaminación mercurio
    e. 5) Condonación de multas forestales del SORINFOR
23. ¿Aparte de esa movilización, que tipos de movilización ha habido? (en general)
    a. ¿Motivaciones?
    b. ¿Fechas?
    c. ¿Participación de que CCNN, y dentro de esas CCNN todos los comuneros?
24. ¿Que fueron los resultados de las movilizaciones?
25. Una de las demandas es formación de Comités de Autodefensa. ¿Sus CCNN ya cuentan con esas?
    a. ¿Eso se organiza desde la CN o desde la federación?
    b. ¿Es formal o informal?
    c. ¿Que son las motivaciones? ¿Lleva buenos resultados?

- Estado

26. ¿Cuantas son sus CCNN bases multadas por OSINFOR?
    a. ¿Qué posición toman al respecto?
    b. (¿Contradicción del gobierno?)
27. ¿Cómo perciben la presencia del estado en la región? (¿representado por la Gerencia?)
    a. ¿La relación entre el estado y las CCNN?
    b. ¿La relación entre el estado y su organización?
28. ¿Se sienten representadas?
29. ¿Tienen recomendaciones?
30. ¿Eso ha cambiado en los últimos años, décadas?

- Cambio climático

1. ¿Qué piensas del cambio climático?
    a. ¿Ya sientan unos efectos?
    b. ¿Como ven el futuro en relación con eso?

- Opinión de la organización

2. ¿Tienes ideas para maneras alternativas/nuevas para solucionar conflictos? ¿Una institución del estado?
3. ¿Qué hace falta en su organización?
    a. Por ejemplo, capacitación
        i. Para manejar sus bosques, sus recursos
        ii. Para entender procesos del estado, administrativos, contractos …
        iii. Para que sus CCNN puedan estar en contacto con el mercado, para que no están dependientes
4. ¿Otras cosas, sugerencias?

- Preguntas específicas

- URPIA & CORPIA

5. como coordinan, ya que las dos son federaciones regionales? ¿Se comunican bien? (*descoordinación)*

C. Población de las Comunidades

(Campesinos + 'small forest users')

1. Nombre – edad – familiares – trabajo

    a. ¿Situación económica?
    b. ¿Hijos? ¿Cuantos, que hacen?
- Tierra

2. ¿Como es su uso de tierra
   y como perciben la tierra? (¿palabra para 'tierra' en su idioma?)
    a. ¿Se recuerdan de cambios, una evolución en esa perspectiva?
3. ¿Tienen títulos de tierra? ¿Están en proceso?
    a. ¿Cuanta protección ofrecen los títulos de tierra?
        i. ¿Protección contra qué?
    b. ¿Es una manera efectiva para obtener 'seguridad de terreno'?
4. ¿Qué son las ventajas + dificultades de vivir en 'tierra común'?

- Economía

5. ¿De donde consiguen para su alimento diario? ¿Lo compran o lo producen?
    a. ¿Piensan que títulos de tierra mejoran/crean una seguridad alimentaria, soberanía alimentaria?
    b. ¿Es su meta la soberanía alimentaria?
    c. ¿Quieren seguir siendo agricultores, campesinos?
6. ¿Son dependientes de productos forestales para vivir? (madera + non-madera)
- Conflicto

7. ¿Que problemas ven en la comunidad y sus alrededores?
    a. (Relacionado con tierra pero también más en general)
    b. ¿Hay conflictos dentro de la comunidad?
8. ¿Hay competición entre comuneros?
9. ¿Qué tipos de conflicto de tierra han experimentado/visto?
    a. (Entre individuales, comunidades, individuales-empresas, individuales-comunidad, comunidad-empresa)
    b. ¿Ocupación ilegal de tierras?
10. ¿Como han tratado de solucionar esos conflictos?
11. ¿Han visto casos de 'tráfico de tierras'?
12. (¿Ha pasado que individuales indígenas han vendido tierra común?)

- Deforestación

13. ¿Quien deforesta? (¿Actores locales, indígenas, mestizos, migrantes, colonos, mineros, petroleros, empresas?)
    a. ¿Lo ven como un gran problema? ¿Por qué?
    b. ¿Están enfocando en conservación, reforestación? Es una prioridad o no tanto?
- Presencia de empresas

14. ¿Se sienten amenazadas por empresas? ¿Qué tipo de empresa?
    a. ¿Madera?

        i. Nombres de empresas
    b. Monoculturas? ¿Que tipos?
    c. ¿Relación con empresas petroleras? No han habido derrames?
15. ¿Hay mucha gente local que trabaja para esas empresas? ¿Como es su experiencia?
    a. ¿Motivación?
16. ¿Sus CCNN reciben compensaciones de empresas petroleras? ¿Como se usa ese dinero? (¿Es causa de conflicto?)

- Región de Atalaya

17. ¿Como es su percepción de la historia de Atalaya?
18. ¿Como ha sido su vida en la región? ¿Han visto muchos cambios?

- Federación indígena

19. ¿Se sienten representados por una federación indígena? ¿Cual?
    a. ¿En qué manera podría mejorar la representación o el funcionamiento de la federación? (Ideas, recomendaciones)
    b. ¿Qué opinan de que hay más que 20 federaciones indígenas en Atalaya?

- Movilización

20. ¿Han participado en alguna movilización? (agosto 2018)
    a. ¿Me pueden contar sobre eso?
    b. ¿Motivación?
21. Si no, ¿Por qué no?

- Comunidad

22. ¿Qué tipo de proyectos existen aquí en la comunidad?
23. ¿Tienen proyectos productivos comunales?
24. ¿Cuentan con veeduría forestal, como funciona eso?
25. ¿Qué proyectos deseen tener?

- Estado

26. ¿Como es su relación con el gobierno? ¿Se sienten representados?
    a. ¿Eso ha cambiado en los últimos años, décadas?

- Cambio climático

1. ¿Piensan en el cambio climático?
    a. ¿Sientan efectos?
    b. ¿Como ven el futuro en relación con eso?

- Futuro

1. ¿Que quieren para el futuro, algunos planes en específicos? ¿Cambios en su manera de vivir? ¿Que desean para sus hijos?

- Ideas

2. ¿Ven una manera alternativa para solucionar los conflictos? ¿Una institución del estado?
3. ¿Hay algo más de que quieren hablar?
    a. Problemas, preocupaciones, ideas, propuestas …

D. Jefes de CCNN

- La comunidad

Nombre
Pueblo indígena
Número de habitantes
Numero de ha – divididos en diferentes zonas?
Titulo desde que año

1. ¿Cómo se elige el líder?
   como se toma decisiones?
    a. ¿Representativos?
2. ¿Hace cuanto existe esta CN?

- Economía

3. ¿La CN es dependiente del bosque?
   ¿Como es su economía (más capitalista o subsistencia)?
4. ¿De donde consiguen para su alimento diario? ¿Lo compran o lo producen?
    a. ¿Piensan que títulos de tierra mejoran/crean una seguridad alimentaria, soberanía alimentaria?
    b. ¿Es su meta la soberanía alimentaria?
    c. ¿Quieren seguir siendo agricultores, campesinos?
5. ¿La CN gestionan ellas mismas su contacto con el mercado, para comercializar recursos? (¿o dependencia de empresarios?)

- El tema de tierra

6. ¿Como es su uso de tierra
   y como perciben la tierra? (¿palabra para 'tierra' en su idioma?)
7. ¿Titulados?
    a. ¿Que son las ventajas y las dificultades de tener 'tierra comun'?
    b. ¿Cuanta protección ofrecen los títulos de tierra? ¿Es una manera efectiva para obtener 'seguridad de terreno'?
        i. ¿Protección contra qué?
    c. ¿Hace falta seguridad también después de obtener título?
8. ¿Existen grupos que no respetan su título?
9. ¿Han experimentado 'tráfico de tierras'?
    a. ¿Quien participa en eso?

b. ¿Es posible pararlo?
c. ¿Corrupción?
d. ¿Hay ocupación ilegal de tierra, por traficantes de tierra?
    i. ¿En reacción ha habido movilización?

- Conflictos

10. ¿Cómo son sus relaciones con CCNN vecinas, o caseríos?
11. ¿Qué tipo de conflicto de tierra han enfrentado, antes y actualmente?
    a. ¿Y cuantos conflictos de cada 'tipo'?
    b. (¿Entre la comunidad o con otros actores?)
12. ¿Hay competición entre comuneros?
13. ¿Hay conflictos dentro de la comunidad?
    a. ¿Ha pasado que individuales indígenas han vendido tierra de la CN?
14. ¿Como tratan, o han tratados, de solucionar esos conflictos?

- Deforestación

15. ¿Quien deforesta?
    a. (¿Actores locales, indígenas, mestizos, colonos, campesinos, empresas) (¿Cocaleros, petroleros, mineros?)
    b. ¿Es legal o ilegal? (Por concesiones, individuales, tala ilegal…)
    c. ¿Cómo lo perciben? (¿misma opinión de todos los comuneros?)
    d. ¿Están enfocando en conservación, reforestación? ¿Es una prioridad o no tanto?
16. ¿Hay concesiones forestales? (¿Es todo para madera, hay también ganadería, cultivación…?)
    a. ¿Lo ven como algo positivo, neutro, negativo? ¿Depende de la empresa?
    b. ¿Es el estado que da las concesiones? ¿Cómo es posible que haya concesiones dentro de su terreno titulado?

- Proyectos forestales

17. ¿Su CN cuentan con veedurías forestales? ¿Como va esto?
18. ¿En qué proyectos participa su CN? (¿Por la OI?)
    a. ¿Presencia de REDD+ programas en la región?
    b. ¿Proyecto Amazonia 2.0?
    c. ¿FIP?
19. ¿Participación? ¿Percepción?

- Presencia de empresas

20. ¿Se sienten amenazadas por empresas? ¿Qué tipo de empresa?
    a. ¿Madera?
        i. Nombres de empresas
    b. Monoculturas? ¿Que tipos?
    c. ¿Relación con empresas petroleras? No han habido derrames? ¿Ven su presencia como una ventaja, parece de los Planes de Trabajo?

21. ¿Su CN reciben compensaciones de empresas petroleras? ¿Como se usa ese dinero? (¿Es causa de conflicto?)
22. ¿Los miembros de su comunidad trabajan para empresas? (¿Que empresas, motivación…?)

- Región de Atalaya

23. ¿Como es su percepción de la historia de Atalaya?
24. ¿Como ha sido su vida en la región? ¿Han visto muchos cambios?

- Federación indígena

25. ¿Tienen confianza en su federación donde están afiliados?
    a. ¿se sienten representados?
26. ¿En qué manera podría mejorar la representación o el funcionamiento de la federación? (Ideas, recomendaciones)
27. ¿Qué opinan de que hay más que 20 federaciones indígenas en Atalaya?
28. ¿Qué proyectos o beneficios su afiliación ya ha traido?

- Movilización social

29. ¿Su CN participó en la movilización de agosto 2018? ¿Conoces las demandas?
30. ¿Todos sus comuneros apoyaron el paro?
31. ¿Después de la movilización de agosto 2018, han sido escuchado? (¿Cosas están cambiando? ¿Sus demandas están escuchados?)
    a. 1) Titulación, ampliación
    b. 2) Reserva comunal
    c. 3) Fortalecer vigilancia territorial para frenar deforestación
    d. 4) Contaminación mercurio
    e. 5) Condonación de multas forestales del SORINFOR
32. ¿Aparte de esa movilización, que tipos de movilización ha habido? (en general)
    a. ¿Motivaciones?
    b. ¿Fechas?
    c. ¿Participación de que CCNN, y dentro de esas CCNN todos los comuneros?
33. ¿Que fueron los resultados de las movilizaciones?
34. Una de las demandas es formación de Comités de Autodefensa. ¿Su CN ya cuenta con esas?
    a. ¿Eso se organiza desde la CN o desde la federación?
    b. ¿Es formal o informal?
    c. ¿Que son las motivaciones? ¿Lleva buenos resultados?
    d. ¿Quién forma parte de la CAD?

- Estado

35. ¿Están multadas por OSINFOR?
    a. ¿Qué impacto tiene?
    b. (¿Contradicción del gobierno?)

36. ¿Cómo perciben la presencia del estado en la región? (¿representado por la Gerencia?)
    a. ¿La relación entre el estado y su CN?
37. ¿Se sienten representadas?
38. ¿Tienen recomendaciones?
39. ¿Eso ha cambiado en los últimos años, décadas?

- Proyectos

40. ¿Qué tipo de proyectos existen aquí en la comunidad?
41. ¿Tienen proyectos productivos comunales?
42. ¿Cuentan con veeduría forestal, como funciona eso?
43. ¿Qué proyectos deseen tener?

- Cambio climático

44. ¿Qué piensas del cambio climático?
    a. ¿Ya sientan unos efectos?
    b. ¿Como ven el futuro en relación con eso?

- Opinión de la organización

45. ¿Ven una manera alternativa para solucionar los conflictos? ¿Una institución del estado?
46. ¿Qué hace falta en su comunidad, mejorar posible?
    a. Por ejemplo, capacitación
        i. Para manejar sus bosques, sus recursos
        ii. Para entender procesos del estado, administrativos, contractos …
        iii. Para que sus CCNN puedan estar en contacto con el mercado, para que no están dependientes
47. ¿Hay algo más de que quieren hablar?
    a. Problemas, preocupaciones, ideas, propuestas …

E. SODA

La Sede Operativa Desconcentrada de Atalaya – SODA, de la Autoridad Regional Ambiental del Gobierno Regional de Ucayali

Director = Miguel Cambero Ramos

1. ¿SODA es afiliada a AURA, y por ahí a la Ministerio del Ambiente (MINAN), correcto?
2. ¿Hace cuanto existe esta unidad? ¿Motivación?

3. ¿Qué son sus actividades principales?
4. ¿Cómo manejan la lucha contra la tala ilegal? ¿Que estrategias?
5. ¿consideran la tala ilegal como un gran problema? ¿Que grande es el problema?

6. ¿Trabajan con comunidades? ¿Con federaciones?

7. ¿Cómo funciona el monitoreo de bosques?
8. y gestión de las veedurías
9. Lei que juntos con CESAL tienen un plan de trabajo para fortalecer a los 6 comités de vigilancia de Atalaya: Sapani, Santa Rosa de Laulate, Aerija, Huao, Nueva Italia Rímac y Santa Elena.
   ¿Cuándo? ¿Estrategia?
   a. ¿Qué significa tener un comité de vigilancia? (cuidado del bosque)
   b. ¿Otras comunidades no cuentan con esos? ¿Por qué?
      i. Gente de Chicosa y Betania me dijeron que ellos tb cuentan con CdV

10. ¿Coordinación con la Area de CCNN?

11. ¿Ustedes dan concesiones? ¿Que tipos?
12. ¿Tienen una lista de las empresas que están activos en la región?
13. ¿Tienen conocimiento de superposiciones?
14. ¿Ustedes dan multas?

15. ¿Las comunidades nativas también necesitan concesiones forestales para exportar madera etc dentro de su título? ¿O el título es suficiente?
16. ¿Qué es el DEMA?
    a. Yo he escuchado de un comunero que ellos dan la concesión a una empresa maderable, porque la cn misma no tiene fondos para hacer una DEMA. ¿No les convendría tener su propia concesión forestal?

17. ¿Han abierto un puesto de control forestal y fauna silvestre en carretera Atalaya - Puerto Ocopa?
    a. ¿Motivación?
    b. ¿Resultados?

    (exhaustivo trabajo de control y vigilancia de productos forestales maderables y de fauna silvestre que ingresan y salen de la ciudad de Atalaya)
18. ¿Encuentran mucha tala illegal?
    a. ¿Empresas?
    b. ¿Comuneros?
    c. ¿Otros individuales?
19. ¿Eso causa conflictos?
20. ¿Encuentran tráfico de tierras?

(más del 40% de la madera que produce la región Ucayali proviene de la provincia de Atalaya, por lo que es necesario controlar su legalidad)

F. OSINFOR Atalaya

Organismo de Supervisión de los Recursos Forestales y de Fauna Silvestre (OSINFOR),

1. ¿Hace cuanto existe esta unidad?
    a. ¿Motivación?
2. ¿Qué son sus actividades principales?

(funciones y competencias del OSINFOR, destacando lo referido al fortalecimiento de capacidades de actores externos a la gestión forestal, el cual tiene como objeto desarrollar la comprensión sobre la legislación forestal y de fauna silvestre; Contribuir al manejo sostenible de los recursos forestales y de fauna silvestre, así como de los servicios ambientales para el beneficio de la población, y contribuir a los mecanismos del autocontrol social eficientes por parte de las Comunidades Nativas)

3. ¿consideran la tala ilegal como un gran problema? ¿Qué grande es el problema?

4. ¿Cómo es su trabajo con comunidades? ¿Con federaciones?
    a. Talleres sobre gestión del manejo forestal comunitario, por ejemplo
    b. Capacitación… (legislación, manejo sostenible de recursos…)
    c. ¿Hablan con toda la cn? ¿O jefe?
5. ¿Cómo funciona el manejo forestal comunitario?
6. ¿Cómo funciona el monitoreo de bosques?
7. y gestión de las veedurías? (equipos (brújula, GPS, PC) para apoyar el fortalecimiento de sus veedurías forestales)
8. ¿Qué significa cuando una CN tiene permisos de aprovechamiento forestal? ¿Es maderable?
9. ¿Me puedes contar sobre el proyecto Amazonía 2?0? ¿El rol de la institucion en ese proyecto? ¿La forma en que se implementa?
10. ¿Coordinación con la Area de CCNN?
11. ¿Que eran las motivaciones para las multas para comunidades?
    a. ¿Son de varios años?
    b. No es por falta de conocimiento de las leyes
12. ¿El pago se puede hacer a través de conservación de bosques húmedos como mecanismo de compensación? ¿Que significa eso? ¿La CN tiene que conservar nomas? ¿O hay que trabajar para mantener el bosque?
13. ¿Que son los criterios para multar? ¿También hay empresas multadas, individuales?
14. ¿Como hacen el control?

15. ¿Ustedes dan concesiones? ¿Que tipos?
16. ¿Tienen una lista de las empresas que están activos en la región?
17. ¿Tienen conocimiento de superposiciones?

G. Empresa de madera

1. ¿Hace cuanto están activos en esta zona?

    b. ¿Como es su historia en la región?
2. ¿Cuantas ha tienen en concesión?
3. ¿Emplean a gente local? ¿En que posiciones?
4. ¿De donde es el jefe de la empresa, de donde vienen los fondos?
5. ¿A que países venden la madera? ¿Como se hace el transporte?
6. ¿Han recibido reclamas?
    a. ¿Protestas?
    b. ¿Como tratan esas cosas?
7. ¿Como es su relación con las comunidades alrededor?
    a. + con las federaciones?
    b. + con el gobierno local y regional?
8. ¿Como ven su trabajo para el futuro?
9. ¿Se ven como una empresa sostenible? ¿Quieren trabajar hacia sostenibilidad o no ven la necesidad?

H. Empresa de monocultura, agro-industria

1. ¿Que cultivan?
2. ¿Hace cuanto están activos en esta zona?
    a. ¿Como es su historia en la región?
    b. ¿Como han llegado aquí?
3. ¿Cuantas ha poseen?
4. ¿Emplean a gente local? ¿En que posiciones?
5. ¿De donde es el jefe de la empresa, de donde vienen los fondos?
6. ¿Adonde exportan?
7. ¿Han recibido reclamas?
    a. ¿Protestas?
    b. ¿Como han reaccionado?
8. ¿Como es su relación con las comunidades alrededor?
    a. + con las federaciones?
    b. + con el gobierno local y regional?
9. ¿Como ven su trabajo para el futuro?

APPENDIX 3: Anti-Slavery Award for OIRA

In 1996, OIRA won the international Anti-Slavery Award. Indigenous leaders Bernardo Silva and Milton Silva traveled to London to receive the award. They also visited other places, including Brussels. After our interview, Bernardo Silva brought me a copy of this article.

Premio Antislavery 1996

Asháninkas en Europa



La Organización Indígena Regional de Atalaya (OIRA) está integrada por asháninkas y otros grupos indígenas de la Amazonía peruana

◆ **LONDRES (Fina del Prado, especial para EXPRESO).—** En ceremonia que se llevó a cabo en el Methodist Central Hall de Westminster, en Londres, la Organización Indígena Regional de Atalaya (OIRA), integrada por asháninkas y otros grupos indígenas de la Amazonía peruana, fue reconocida con el Premio Antislavery 1996.

Desde hace 10 años Antislavery International (ASI) entrega este galardón a una organización o persona cuya labor haya sobresalido en la defensa de los derechos humanos. Con la premiación, ASI inició su campaña a nivel internacional contra la explotación y esclavitud sufridas por muchos pueblos indígenas en distintas partes del mundo.

Los peruanos Bernardo Silva Loayza y Milton Silva Bautista cruzaron el Atlántico y pisaron por primera vez tierras europeas en representación de OIRA a fin de recibir la medalla de reconocimiento.

OIRA fue reconocida por su labor en los últimos años para acabar con la situación de miles de asháninkas sometidos a condiciones de explotación laboral y la tenaz defensa de sus derechos sobre las tierras indígenas en la región. OIRA se esforzó por documentar cada caso de abuso laboral y los denunció ante el Ministerio de Trabajo del Perú y la OIT. El resultado fue más de seis mil indígenas "emancipados".

Asimismo, con la asesoría de la ONG danesa Grupo Internacional para Asuntos Indígenas, OIRA inició los trámites necesarios para el registro oficial de las tierras de más de cien comunidades indígenas. Los representantes indígenas reconocieron durante la ceremonia de premiación el apoyo del gobierno peruano, además de destacar que la nueva legislación sobre registro de tierras fue muy importante para el éxito de su gestión.

Tras una corta estadía de cinco días en Londres, Bernardo Silva y Milton Silva continuaron su viaje por Europa. Visitaron Bruselas y Ginebra. En esta última ciudad asistieron a una sesión de la Comisión de Derechos Humanos en Naciones Unidas, que examina el borrador de la Declaración de Derechos de los Pueblo Indígenas.

El galardón recibido les dio también la oportunidad de compartir sus experiencias con organizaciones de Dinamarca y España.

El disidente chino Harry Wu, el haitiano Edwin Praison y el cardenal brasileño Ricardo Rezende fueron galardonados con este premio los años 1995, 1994 y 1992, respectivamente.



Infórmese todos los

HOSTAL LA BELLA DURMIENTE	AV TOMAS VALLE MZ S LOTE 4	CALI
CASA DE DISFRACES MONTANEZ	AV ALMIRANTE GRAU 1291	CALI
OLIVA GARCIA IRMA ISABEL	LOS DOMINICOS MZ A LT 6 VIPOL	CAL
ALBORNOZ GODOY ANA CECILIA	AV BUENOS AIRES 950	CALI
COMERCIAL VARGAS	AV LOS DOMINICOS MZ Q LT 14	CALI
RAMIREZ FABABA RAQUEL	AV LOS DOMINICOS MZ R LT 14 VIPOL	CAL
TRUCIOS CAMBILLO ANDRES AVELINO	AV MIGUEL GRAU 1037	CAL
SALON DE BELLEZA HANCO	AV OSCAR R BENAVIDES 3877	CAL
COMERC. Y DIST. MARIA AUXILIADORA S.A.	AV TOMAS VALLE MZ Q LT 16	CAL
LICORERIA LOS NOGALES	CALLE 7 MZ I LT 36	CA

APPENDIX 4: Act of Working Group with Indigenous Organizations of Atalaya

After the Paro Amazonico in August 2018, the government supported the creation of working groups on specific topics. This is the act of the creation of a working group with the Indigenous federations, to work on the Paro's demands, dated 23 August 2018.

ACTA DE INSTALACIÓN DEL GRUPO DE TRABAJO CON LAS ORGANIZACIONES INDÍGENAS DE LA PROVINCIA DE ATALAYA Y EL ESTADO

En la ciudad de Atalaya, a los veintitrés días del mes de agosto del dos mil dieciocho, siendo las 16:00 horas, en la local La Cabaña, se dio inicio al acto de instalación del Grupo de Trabajo con las Organizaciones Indígenas de la provincia de Atalaya y el Estado, bajo la conducción de la Presidencia del Consejo de Ministros.

La sesión contó con la participación de los representantes de las siguientes instituciones: Ministerio de Agricultura y Riego; Presidencia del Consejo de Ministros; Organismo de Supervisión de los Recursos Forestales y de Fauna Silvestre; Servicio Nacional Forestal y de Fauna Silvestre; Gobierno Regional de Ucayali; Policía Nacional; Subprefectura de la provincia de Atalaya, y las Organizaciones Indígenas de la provincia de Atalaya: CORPIAA, AIDESEP, OIRA, FACRU, OIYPA, FABU Y FECONADIS; FECONAPA, FEMIPA, URPIAA y CONINCAP, conforme a la lista de asistencia que acompaña la presente acta.

AGENDA:

1. Instalación del Grupo de Trabajo con las Organizaciones Indígenas de la provincia de Atalaya y el Estado.
2. Atención de demandas.

DESARROLLO DE LA SESIÓN:

Se deja constancia de la aceptación expresa y unánime de la agenda y los asuntos a tratar en la presente sesión.

Se procede a la instalación del Grupo de Trabajo con las Organizaciones Indígenas de la provincia de Atalaya y el Estado.

En atención al acta suscrita por las Organizaciones Indígenas de la provincia de Atalaya de fecha 01 de agosto de 2018, que recoge la Plataforma de demandas a trabajar con las instancias de cada Sector del Estado, siendo las siguientes:

1. Derogación y/o anulación de la ordenanza regional de concesiones forestales (proceso abreviado - GOREU).
2. Condonación de multas de las comunidades impuestas por OSINFOR (anulación).
3. Exigir al Estado la activación de la CAD – comité de autodefensa.
4. Exigir al Estado priorizar el reconocimiento y titulación de territorios de comunidades nativas (GOREU).
5. Solicitar y exigir a las empresas de hidrocarburos el BONO de compensación de tránsito fluvial a favor de las comunidades indígenas incluyendo al distrito de Tahuanía.
6. Exigir a las empresas de hidrocarburos y a sus contratistas el respeto a la tasa salarial de acuerdo a la legislación vigente.

7. Exigir a las empresas de hidrocarburos y a sus contratistas la promoción laboral y responsabilidad social, priorizando a empresas atayalinas y comunales.
8. Exigir la declaración y creación de reservas comunales en la provincia de Atalaya.
9. Exigir la urgente atención de nuestros hermanos Nahuas de la comunidad de Serjali, y se detecte el origen, causa y consecuencias de enfermedades que padecen (contaminación por mercurio – GOREU, MINSA, MINCU, MINEM).
10. Revisión del Contrato de Empresas Petroleras transnacionales con Perú y las Empresas Petroleras con pueblos indígenas (agregado a manuscrito)

No habiendo otro asunto que tratar, instala el presente espacio de trabajo para el tratamiento de las propuestas y demandas arriba expuesta, leída y aprobada, se dio por concluida la sesión, siendo las 17:00 horas, firmando los presentes en señal de conformidad.

FIRMAS:

N°	NOMBRES	FIRMA
01	**Ing. Hildebrando Collantes Zegarra** Responsable del Área de Comunidades de la Dirección Regional de Agricultura Gobierno Regional de Ucayali	
02	**Ing. Martín Córdova Castillo** Director de la Dirección Forestal y Fauna Silvestre Gobierno Regional de Ucayali	
03	**Juan Alberto Chávez Armas** Gerente Territorial de Atalaya Gobierno Regional de Ucayali	
04	**Ing. Carlos Alberto Reina Isla** Dirección General de Orden Público – Dirección de Prevención y Gestión de Conflictos Sociales Ministerio del Interior	
05	**Eco. Máximo Salazar Rojas** Presidente Ejecutivo del Organismo de Supervisión de los Recursos Forestales – OSINFOR	
06	**Ing. Willian Pacci Salazar** Dirección General de Saneamiento de la Propiedad Agraria y Catastro Rural DIGESPACR Ministerio de Agricultura y Riego	
07	**Ing. Margarita Suarez Alvites** Directora General del Servicio Nacional Forestal y Fauna Silvestre – SERFOR	
08	**Crnel. Leonidas Rodríguez Sueros** Frente Policial Puerto Inca Policía Nacional del Perú	

N°	NOMBRES	FIRMA
09	**Marleny Rey-Sánchez Sierra** Subprefecta de la provincia de Atalaya	
10	**Javier Eduardo Lam Figueroa** Secretaria de Gestión Social y Dialogo, de la Presidencia del Consejo de Ministros	
11	**Edwin Jumanga Ruiz** Presidente de CORPIAA	
12	**Lizardo Cauper Pezo** Presidente de AIDESEP	
13	**Hestalin Ríos Coronado** Presidente de OIRAA	
14	**Cleofaz Quintori Soto** Presidente de URPIAA	
15	**Emilio Olortegui Zapata** Presidente de OIYPA	
16	**Susana Patricia Silva Morales** Presidenta de la Federación Asháninka bajo Urubamba – FABU	
17	**Eugenio Urquía Saavedra** Presidente de FECONADIS	
18	**Mayquer Ramos Zapata** Secretario de CONINCAP	
19	**Acla Ríos Marihua** Presidente de FECONAPA	
20	**Edwin Conde Ramírez** Sindicato de Transportistas Motoristas y Punteros de la provincia de Atalaya	
21	**Guillermo Rios Paima** Comité de Defensa por los Intereses del caserío Santa Rosa.	

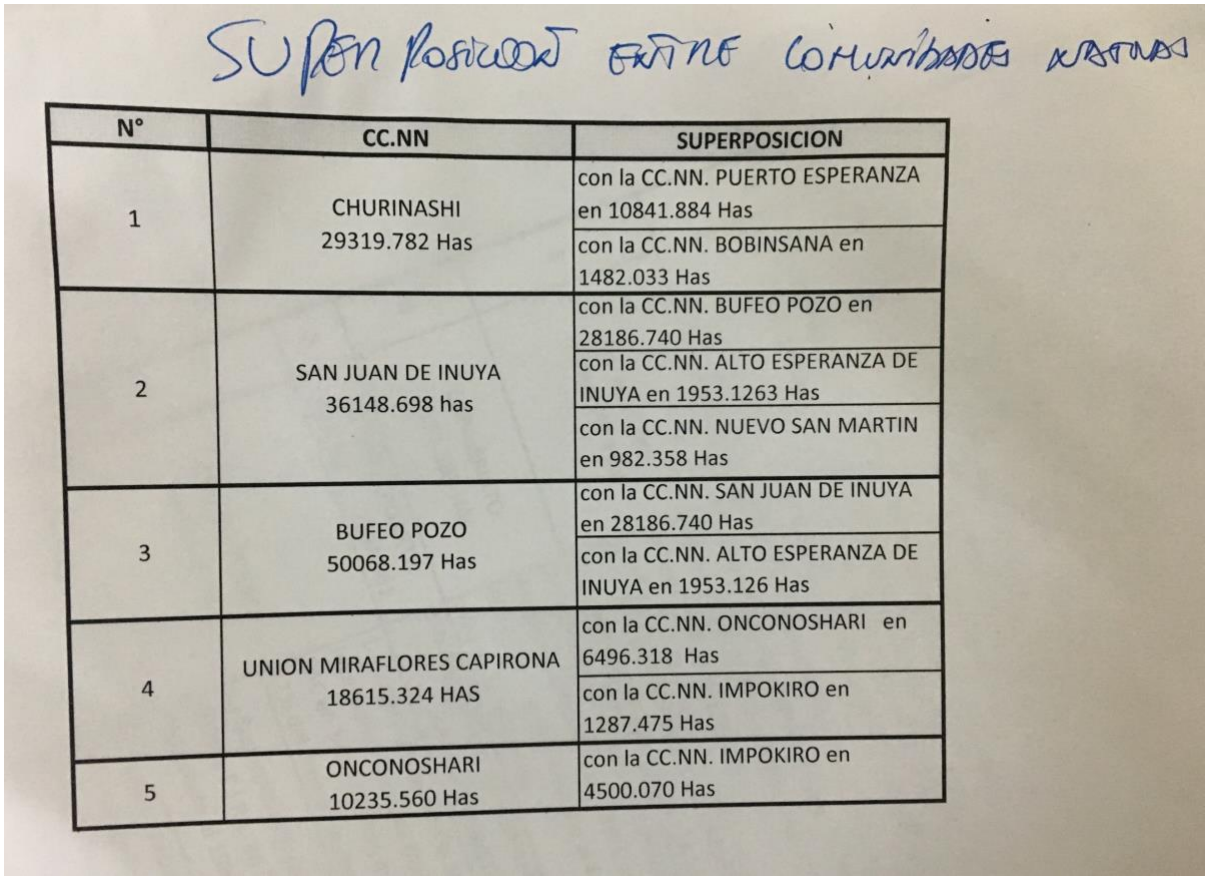
EDINSON RAMOS JERI
REPRESENTANTE POR EL PUEBLO DE MALDONADILLO

Tabea Caoiqui Coronado

Gloria luz Segundo Contreras

APPENDIX 5: Overlaps between Native Communities

This is a non-comprehensive list of Native Communities who face partial overlap with other communities.



N°	CC.NN	SUPERPOSICION
1	CHURINASHI 29319.782 Has	con la CC.NN. PUERTO ESPERANZA en 10841.884 Has
		con la CC.NN. BOBINSANA en 1482.033 Has
2	SAN JUAN DE INUYA 36148.698 has	con la CC.NN. BUFEO POZO en 28186.740 Has
		con la CC.NN. ALTO ESPERANZA DE INUYA en 1953.1263 Has
		con la CC.NN. NUEVO SAN MARTIN en 982.358 Has
3	BUFEO POZO 50068.197 Has	con la CC.NN. SAN JUAN DE INUYA en 28186.740 Has
		con la CC.NN. ALTO ESPERANZA DE INUYA en 1953.126 Has
4	UNION MIRAFLORES CAPIRONA 18615.324 HAS	con la CC.NN. ONCONOSHARI en 6496.318 Has
		con la CC.NN. IMPOKIRO en 1287.475 Has
5	ONCONOSHARI 10235.560 Has	con la CC.NN. IMPOKIRO en 4500.070 Has

APPENDIX 6: List of member communities FABU

This is a comprehensive list of Native Communities affiliated to FABU, which also indicates the ethnicity and whether they are titled or in the process of soliciting recognition, land title, or territorial extension.

FEDERACION ASHANINKA BAJO URUBAMBA

FABU- 2019.

Presidenta: Susana Patricia Silva Morales.
Dirección: Jr. Rímac s/n- Palacio de Gobierno de los Pueblos Originarios, Ciudad de Atalaya-Ucayali. Celular: 954654215, E-mail: fabuperu@gmail.com.
Asesor: Soc. Guillermo Ñaco Rosas, Cel. 980320482

N°	COMUNIDAD NATIVA Y/O ANEXO	PUEBLO INDIGENA	ESTADO LEGAL DEL TERRITORIO	UBICACION	DISTRITO	PROVINCI
1	Tres Colinas	Ashaninka	Solicita Titulación	R. Urubamba	Raimondi	Atalaya
2	Nueva Esperanza	Ashaninka	Titulada	R. Urubamba	Raimondi	Atalaya
3	Centro Pucani	Ashaninka	Titulada	R. Urubamba	Raimondo	Atalaya
5	Taquila	Ashaninka	Titulada	R. Urubamba	Raimondi	Atalaya
6	San Francisco de Tzinquiato	Ashaninka	Titulada	R. Urubamba	Raimondi	Atalaya
7	Inkare	Ashaninka	Solicita Ampliación	R. Urubamba	Raimondi	Atalaya
8	Puerto Inka	Ashaninka	Solicita Reversión	R. Urubamba	Raimondi	Atalaya
9	Centro Selva Verde	Ashaninka	En proceso de Titulación.	R. Urubamba	Raimondi	Atalaya
10	Capajereato	ashaninka	Solicita Ampliación	R. Urubamba	Raimondi	Atalaya
11	Inchatoshi - Guardianes del Bosque	Ashaninka	Solicita Reconocimiento y Titulación.	Quebrada Mapuiyo	Raimondi/Sepa	Atalaya
12	Villa María de Cumarillo	Ashaninka	Solicita Ampliación.	R. Urubamba	Raimondo	Atalaya
13	Nueva Vista Villasol	Ashaninka	En proceso de Titulación	Quebrada Cumarillo/Urubamba	Raimondi	Atalaya
14	REMOQUE - Nueva Aldea	Ashaninka	En proceso de Titulación.	R. urubamba	Raimondi	Atalaya.
15	Antamishi de Oro	Ashaninka/Nomatsiguenga	Solicita Reconocimiento y Titulación	Quebrada Sepa	Sepahua/Raimondi	Atalaya.
16	Unión Miraflores de Capirona	Ashaninka	Solicita Ampliación	Quebrada Sepa	Sepahua	Atalaya.
17	Santa Isabel anexo de Unión Miraflores Capirona	Ashaninka		Quebrada Sepa	Sepahua	Atalaya
18	Onconashari	Ashaninka	Solicita Ampliación	Quebrada Sepa	Sepahua	Atalaya
19	Yasmaripanko	Ashaninka	Solicita Reconocimiento y Titulación.	Quebrada Sepa	Sepahua	Atalaya
20	Ayllu	Nomatsiguenga /Ashaninka	Solicita Reconocimiento y Titulación.	Quebrada sepa	Sepahua	Atalaya

SUSANA P. SILVA MORALES
DNI 09489914
PRESIDENTE

FABU
FEDERACION ASHANINKA BAJO URUBAMBA

Atalaya, Ucayali, Septiembre del 2019.

APPENDIX 7: Workshop on Communal Forestry Management

This is the program of the three-day workshop organized by URPIA for Indigenous comuneros, on the topic of communal forest management.

PROGRAMA

Día 1 26

Hora	Actividad	Responsables
08:45 - 9:00	Registro de participantes	Asistente Administrativo
09:00 – 09:30	**Acto protocolario de bienvenida e inauguración**: Palabras de bienvenida **Mensaje de representantes:** Ministerio del Ambiente CONAP SERFOR SODA OSINFOR CORPIAA Gerencia Territorial de Atalaya CORPIAA	Pdte URPIA
09:30 – 10:00	Presentación general del Evento: antecedentes, objetivos, metodología y productos esperados.	Equipo técnico de URPIA
10.00 – 10:15	**Pausa para refrigerio**	
10:15 – 10:45	Presentación Introductoria sobre Monitoreo Forestal Participativo	Proyecto Amazonía 2.0
10:45 – 11:20	Presentación del SODA sobre Control Forestal. Preguntas de los participantes	SODA
11:20 – 11:40	Presentación de OSINFOR, sobre supervisión en CCNN. Preguntas de los participantes	OSINFOR
11:40 – 12:20	Presentación del FEMA, investigaciones sobre presuntos delitos a las CCNNs en materia forestal. Preguntas de los participantes	FEMA
12:20 – 13:00	Presentación del Programa Bosques –TDC- Monitoreo Forestal. Preguntas de los participantes	MINAM
13:00 – 14:30	**Almuerzo**	
14:30 – 15:30	Presentación de dos experiencias en Monitoreo Forestal Comunitario Participativo CCNN Puija CCNN Bujeo Pozo. Preguntas de los participantes	Jefe CCNN
15:30 – 16:30	Presentación de dos experiencias en Monitoreo de Manejo Forestal Comunitario Puerto Esperanza Centro Selva Quirishari. Preguntas de los participantes	Jefe CCNN
16:30 – 16:45	Pausa refrigerio	
16:45 – 17:15	Presentación del proyecto ONU REDD CORPIAA – Monitoreo Comunitario. Pregunta de los participantes	EQUIPO TÉCNICO DE CORPIAA
Día 2 27		
08:45 - 9:00	Registro de participantes	Asistente logístico
09:00 – 09.30	Presentación del proyecto ONU REDD URPIA – Monitoreo Comunitario. Pregunta de los participantes	EQUIPO TÉCNICO URPIA
09.30 – 10:00	Presentación de CESAL Monitoreo Comunitario. Preguntas de los participantes	CESAL

11:00 – 11:45	**Pausa para refrigerio**	
11:45 – 13:00	Panel con presentaciones: Presentación de un representante de OSINFOR, SODA, GERENCIA TERRITORIAL, CESAL sobre el Monitoreo Forestal Comunitario Participativo en las CCNNs y su impacto. Preguntas de los representantes	OSINFOR, SODA, GTA, CESAL
13:00 – 14:30	**Almuerzo**	
14:30 – 15:00	Presentación y panel de comentarios para mensajes relevantes sobre el Monitoreo Forestal Participativo: punto de vista de las organizaciones indígenas	FECONAPA
15:00 – 16:00	Mesas de discusión sobre principales mensajes y conclusiones del taller y próximos pasos: a) Monitoreo Forestal Comunitario Participativo b) Monitoreo en Manejo Forestal Comunitario	EQUIPO TÉCNICO DE URPIA
16:00 – 16:15	**Pausa para refrigerio**	
16:15 – 17:30	Propuesta de lineamientos de política pública para impulsar el Monitoreo Forestal Participativo.	Gerencia Territorial de Atalaya-Mesa Forestal
17.30 – 18.00	Acuerdos y compromisos	

Día 3 28

08:45 - 9:00	Registro de participantes	Asistente logístico
09:00 – 10:45	Mesa de discusión de la organización URPIA sobre lineamientos institucionales en materia ambiental	URPIA
10.45 – 11.00	*Pausa para refrigerio*	
11:00 – 12:00	Mesa de discusión de la organización URPIA sobre lineamientos institucionales en materia ambiental	URPIA
12.00 – 13.00	Plenarias sobre acuerdos institucionales en materia ambiental	EQUIPO TÉCNICO DE URPIA
13.00 – 14.00	**Almuerzo**	
14.00 – 15.00	Clausura y entrega de Resolución de Reconocimiento del CMVC	URPIA-SOFFSA

COORDINAR SU PARTICIPACIÓN A LA SIGUIENTE DIRECCIÓN PARA LA LOGÍSTICA:

Cleofáz Quintori Soto, celular N° 955933609
Neofol Atanacio Venturo, celular N° 948652679

e-mail: urpia1quintori@hotmail.com, cleoquinto@hotmail.com
neoaven_4@hotmail.com

NOTA IMPORTANTE.

LOS REPRESENTANTES DE LAS COMUNIDADES Y ORGANIZACIONES QUE ESTAN INVITADOS COMO PONENTES, DEBERA HACER SU PRESENTACIÓN CON EL APOYO DE SU RESPECTIVO EQUIPO TÉCNICO.

TALLER INTERCAMBIO DE EXPERIENCIA

El Taller de Intercambio de Experiencias sobre Gestión del Monitoreo Forestal Comunitario, es importante, en esa línea actualmente se desarrolla iniciativas de esta naturaleza en 04 comunidades nativas a nivel piloto: Pitza, Shimpi, Pavote y Centro Selva Quirishari quienes expondrán las experiencias sobre el tema, asimismo, la participación de diferentes actores como son: representantes de organizaciones indígenas, intelectuales, técnicos, representantes de Ong's, políticos, representantes de gobierno, expondrán sus experiencias, sus casos de éxito, su problemática y sus propuestas hacia el futuro. A la vez se incluirán presentaciones puntuales y dinámicas del intercambio de experiencias entre grupos.

Además es menester conocer experiencias de aquellas organizaciones que viene realizando similares actividades como es el caso del Proyecto A.2.0, TDC-Programa Bosques (CCNNs Puija y Bujeo Pozo), CORPIAA-Veedurìa Forestal, Proyectos MDE Saweto, Proyecto Bosque Resiliente, a fin de puedan exponer sus experiencias.

PROGRAMA: TALLER DE INTERCAMBIO DE EXPERIENCIA

I. Experiencias para el Monitoreo Forestal Participativo de los pueblos indígenas
II. Experiencias en Monitoreo de deforestación y degradación de los bosques
III. Experiencias en Monitoreo de Manejo Forestal Comunitario

Organización

Objetivo:

- Conocer las experiencias del Monitoreo Forestal Comunitario a fin de mejorar la metodología
- Fortalecer las capacidades de los participantes en el uso de la información georeferenciada de cambios en la cobertura de bosques para la implementación del Monitoreo de Bosques.

Participantes:

Los participantes son, integrantes del CMVC de las 4 Comunidades Nativas Pilotos, jefes de las CCNN, integrantes del CMVC de las CCNNs con TDC, líderes y lideresas comunales, veedores forestales indígenas, técnicos, profesionales, funcionarios del estado, autoridades locales que de alguna forma viene trabajando en estos temas, para fortalecer la vigilancia del territorio comunal (flora y fauna), de esta manera mantener el equilibrio ecosistémico del bosque.

APPENDIX 8: Act of Working Group for communal overlap with forest concessions

After the Paro Amazonico in August 2018, the government supported the creation of working groups on specific topics. This is the act of the creation of a working group about overlaps of Native Communities with forest concessions, dated 12 October 2018. It includes a list of Native Communities with overlap for whom Indigenous organizations demand a solution.

ACTA DE GRUPO DE TRABAJO EN ATENCIÓN A COMUNIDADES AFECTADAS POR EL PROCESO ABREVIADO DE CONCESIONES FORESTALES EN LA PROVINCIA DE ATALAYA

Siendo las 11:00 am del 12 de Octubre del 2018 en los ambientes de la Gerencia Territorial de Atalaya el equipo técnico conformado por la Dirección Regional Agricultura de Ucayali, Dirección de Gestión Forestal y Fauna Silvestre de Ucayali, Organizaciones Indígenas para tratar:

- Atender acuerdos del 12 de setiembre del 2010 sobre revisión de 24 expedientes de comunidades nativas en trámites de reconocimiento titulación y ampliación territorial con superposición de concesiones forestales.

DESARROLLO DE LA AGENDA DE TRABAJO Y ACUERDOS

1) Se deja constancia la ausencia de los representantes de la Dirección Regional Agricultura de Ucayali-DRAU, quien se comprometió en la sesión anterior, elaborar el requerimiento logístico para trabajo de campo, que a la fecha no se cuenta con la información requerida.

   Asimismo la Dirección de Gestión Forestal y Fauna Silvestre deja constancia que la Dirección Regional Agricultura de Ucayali a la fecha no hecho llegar las copias fedateadas de los 24 expediente señalado en el Informe N° 42-2018-GRU-DRA/DISAFILPA/CCNN el cual fue solicitada mediante oficio N° 1219-2018-GRU-ARAU-DIGEFFS de fecha 27 de agosto del presente año.

   Las representantes de la URPIAA y CORPIAA exhortan a la DRAU remitir copias fedateadas de los 24 expediente señalado en el Informe N° 42-2018-GRU-DRA/DISAFILPA/CCNN.

2) Acto seguido se socializo los resultados de la revisión de expedientes realizado el 12 de setiembre, a los representantes de la CORPIAA y URPIAA la cual se detalla a continuación:

N	COMUNIDADES NATIVAS	ORGANIZACION	PROCESO	OBSERVACIONES
1	SAN JUAN DE INUYA	AIDESEP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
2	ONCONACHARI	AIDESEP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
3	NUEVO SAN MARTIN	AIDESEP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
4	CENTRO APINIHUA	AIDESEP	AMPLIACIÓN	SE IDENTIFICO SIN PROBLEMA DE SUPERPOSICIÓN
5	CHURINASHI	AIDESEP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
6	JANABENI	AIDESEP	R-TITULACIÓN	SE IDENTIFICO SIN PROBLEMA DE SUPERPOSICIÓN
7	ANTAMI	AIDESEP	TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO
8	ALTO ESPERANZA DE INUYA	AIDESEP	TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO
9	MASHASHA	AIDESEP	TITULACIÓN	CUENTA CON TERRITORIO DEMARCADO
10	BOBINSANA	CONAP – A	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
11	BUJEO POZO	CONAP	AMPLIACIÓN	NO ESTA EEMARCADO SU TERRITORIO
12	CAPAJEREATO	CONAP	AMPLIACIÓN	NO SE INCLUYE
13	CENTRO LAGARTO JUVENIL	CONAP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
14	CENTRO PUCANI	CONAP-A	AMPLIACIÓN	NO SE INCLUYE
15	OJEAYO	CONAP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
16	PUERTO ESPERANZA	CONAP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
17	PUIJA	CONAP	AMPLIACIÓN	NO SE INCLUYE
18	SEPAHUA	CONAP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
19	UNION MIRAFLORES CAPIRONA	CONAP-A	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
20	AYLLU	CONAP	TITULACIÓN	NO SE INCLUYE
21	COLPA	CONAP	TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO
22	IMPOKIRO	CONAP	R-TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO
23	MATOTENKABO	CONAP	R-TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO
24	NUEVA AMIA	CONAP	R-TITULACIÓN	NO SE INCLUYE

Luego de la evaluación del informe de revisión expedientes, se arribó los siguientes acuerdos:

HESTALIN RIOS CORONADO
DNI N° 44982847
PRESIDENTE

Acta Rios Marthua
DNI N° 46953802
PRESIDENTE

1. Las organizaciones URPIA Y CORPIA solicitan atención de resolución de problemas de superposición de las siguientes comunidades:

N	COMUNIDADES NATIVAS	ORGANIZACION	PROCESO	OBSERVACIONES
1	SAN JUAN DE INUYA	AIDESEP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
2	ONCONACHARI	AIDESEP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
3	NUEVO SAN MARTIN	AIDESEP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
4	CHURINASHI	AIDESEP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
5	ANTAMI	AIDESEP	TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO
6	ALTO ESPERANZA DE INUYA	AIDESEP	TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO
7	MASHASHA	AIDESEP	TITULACIÓN	CUENTA CON TERRITORIO DEMARCADO
8	BOBINSANA	CONAP – A	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
9	BUJEO POZO	CONAP	AMPLIACIÓN	NO ESTA EEMARCADO SU TERRITORIO
10	CENTRO LAGARTO JUVENIL	CONAP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
11	OJEAYO	CONAP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
12	PUERTO ESPERANZA	CONAP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
13	SEPAHUA	CONAP	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
14	UNION MIRAFLORES CAPIRONA	CONAP-A	AMPLIACIÓN	NO ESTA DEMARCADO SU TERRITORIO
15	COLPA	CONAP	TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO
16	IMPOKIRO	CONAP	R-TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO
17	MATOTENKABO	CONAP	R-TITULACIÓN	NO ESTA DEMARCADO SU TERRITORIO

2. En mérito a los resultados de revisión de expedientes y del Acta de Taller para la identificación y validación de comunidades nativas en proceso de resolución del conflicto territoriales y saneamiento físico legal bases de URPIA de fecha 14 y 15 de setiembre del 2018 se concluye EXCLUIR DEL PROCESO a las siguientes comunidades:

N	COMUNIDADES NATIVAS	ORGANIZACION	PROCESO
1	CENTRO APINIHUA	AIDESEP	AMPLIACIÓN
2	JANABENI	AIDESEP	R-TITULACIÓN
3	CAPAJEREATO	CONAP	AMPLIACIÓN
4	CENTRO PUCANI	CONAP-A	AMPLIACIÓN
5	PUIJA	CONAP	AMPLIACIÓN
6	AYLLU	CONAP	TITULACIÓN
7	NUEVA AMIA	CONAP	R-TITULACIÓN

3) Por otro lado, los representantes de la organizaciones CORPIAA y URPIA ponen de conocimiento en el presente acto, que mediante Oficio N° 0730-MINAGRI-DVPA/DEGESPACR-DG de fecha 14 de setiembre del 2018 la Dirección General de Saneamiento de la Propiedad Agraria y Catastro Rural del Ministerio de Agricultura y Riego, solicita ante el despacho del Gobierno Regional de Ucayali, elaborar plan de trabajo para titulación de 12 comunidades nativas en Atalaya, que no debe exceder la suma de 500,000.00 soles para tramitar su transferencia, en ese contexto las organizaciones CORPIAA y URPIA priorizan la titulación de las siguientes comunidades:

N	COMUNIDADES NATIVAS	ORGANIZACIÓN	PROCESO
1	ONCONACHARI	AIDESEP	AMPLIACIÓN
2	CHURINASHI	AIDESEP	AMPLIACIÓN
3	JANABENI	AIDESEP	TITULACIÓN
4	ALTO ESPERANZA DE INUYA	AIDESEP	TITULACIÓN
5	MASHASHA	CONAP	TITULACIÓN
6	BOBINSANA	AIDESEP	AMPLIACIÓN
7	BUJEO POZO	CONAP	AMPLIACIÓN
8	OJEAYO	AIDESEP	AMPLIACIÓN
9	SEPAHUA	CONAP	AMPLIACIÓN
10	COLPA	CONAP	TITULACIÓN
11	MEYANTARI	CONAP	TITULACIÓN
12	CENTRO SELVA VERDE	CONAP	TITULACIÓN

NOTA. Se precisa que las comunidades nativas Meyantari y Centro Selva Verde no se encuentran incluidas dentro del listado del Informe N° 42-2018-GRU-DRA/DISAFILPA/CCNN.

4) La propuesta de protocolo sobre los criterios de inspección ocular, demarcación de posesión territorial, mecanismo de resolución de conflicto territorial, exclusión, redimensionamiento, declaración de unidad transitoria y anotación preventiva, en este acto el abogado de AIDESEP, el sr. Max Silva Sanchez socializa el avance de la propuesta de protocolo sobre la base de los siguientes puntos:

HESTALIN RIOS CORONADO
DNI N° 44982847
PRESIDENTE

Acta Rios Martinua
DNI N° 45053802
PRESIDENTE

N°	PROPUESTA	BASE LEGAL	OBSERVACIONES
1.	Rescisión de Contrato de Concesión Forestal	Artículo 12 Ley 22175 artículo 6 del DS 003-79-AA	Rescisión del contrato previa valorización de Mejoras, etc. y pago de indemnización.
2.	Traslado y Reubicación de CCNN	Artículo 16 del Convenio 169 de la OIT	El Estado disponga áreas de libre disponibilidad y se tenga el consentimiento de la asamblea general de la CCNN
3.	Exclusión y Compensación	Ley N° 27308, Ley Forestal y de Fauna Silvestre, sus reglamentos.	Se excluye del área concesionada el área de dominio de posesión territorial de CCNN en trámite de titulación y ampliación; El Estado compensa al concesionario con áreas de libre disponibilidad.
4.	Acuerdo de aprovechamiento forestal conjunto entre Concesionario y CCNN, con reserva de dominio en propiedad de la CCNN.	Disposición Complementaria y Final de la Ley N° 27308, Ley Forestal y de Fauna Silvestre.	El concesionario y la CCNN se asocian e invierten en el aprovechamiento forestal, se declara unidad transitoria, culminado la actividad forestal se otorga el área en propiedad a la CCNN
5.	Acuerdo de aprovechamiento forestal en favor del Concesionario, con reserva de dominio en propiedad de la CCNN.	Ley N° 27308, Ley Forestal y de Fauna Silvestre, sus reglamentos.	El concesionario desarrolla el aprovechamiento forestal; Se declara unidad transitoria del área superpuesta, que culminado la actividad forestal se otorga el área en propiedad en favor de la CCNN
6.	Acuerdo de aprovechamiento forestal en favor del Concesionario, con beneficio económico y reserva de dominio en propiedad en favor de la CCNN.	Ley N° 27308, Ley Forestal y de Fauna Silvestre, sus reglamentos. Artículo 15 y 16 del Convenio 169 de la OIT; Artículo 72 Ley N° 28611 Ley General del Ambiente.	El concesionario desarrolla el aprovechamiento forestal y entrega el 25% de las utilidades del aprovechamiento en favor de la CCNN; Se declara unidad transitoria del área superpuesto, que culminado la actividad forestal se otorga el área en propiedad a la CCNN;

Después de un intercambio de opiniones se acuerda lo siguiente:

1) Sobre el avance de la propuesta se recibirá los comentarios y aporte hasta el 25 de octubre del presente año, debiendo ser remitido al abogado de AIDESEP al Sr. Max Silva Sanchez con correo electrónico maxsilvasanchez@gmail.com, contacto telefónico 961517322 quien será el responsable de recopilar, sistematizar la información para la construcción del referido documento, de las cuales será remitido al equipo de trabajo para su revisión.

2) Luego de la sistematización se realizara la primera reunión de trabajo para el 30 de octubre del 2018 fecha donde se debatirá la propuesta final de protocolo con el equipo de trabajo en la ciudad de Pucallpa.

3) La versión final de protocolo será socializado y validado por la Dirección Regional Agricultura de Ucayali, Dirección de Gestión Forestal y Fauna Silvestre de Ucayali, Organizaciones Indígena en la ciudad de Atalaya para el 15 de noviembre del 2018.

Siendo las 5:30 pm del mismo día se levanta la presente sesión y en señal de conformidad firman por los representantes de la Dirección de Gestión Forestal y Fauna Silvestre de Ucayali y Organizaciones Indígena.

HESTALIN RIOS CORONADO
DNI N° 44962847
PRESIDENTE

Acla Rios Marihua
DNI N° 48053802
PRESIDENTE

AIDESEP

APPENDIX 9: Overlaps of Native Communities and forest concessions

This is a non-comprehensive list of Native Communities who face partial or total overlap with forest concessions. It elaborates on the nature of the overlap.

N°	Comunidad Nativa	Superposicion Parcial	Superposicion Total
1	ALTO ESPERANZA DE INUYA 67315.040 Has	1.- Con la Unida de Aprovechamiento 306 en 1527.438 has, que equivale a un 20.66% del area total de la Unidad, siendo una Unidad libre	1.- Con la Concesion Industrial Maderera Los Angeles B que ocupa las Unidades 404 y 405
		2.- Con la Concesion Complejo Industrial Maderero Pezo Villacorta en 22089 has casi el 98.5 % de su area	2.- Con la Concesion de Juanito Gratelli Rengifo que ocupa la Unidad 406
		3.- con la Concesion Maderera Rio Yaverija SAC en 1883.99 has lo que equivale a un 3.7 % de su area total	3.- Con la Unidades de Aprovechamiento 242, 408, 409, aum no concesionadas
2	BOBINSANA 7589.659 Has	1.- Superposicion con la concesion forestal Inversiones Tecnicas Maderables SAC en 5666.939 has que representa el 20.5% del area de la concesion	
		2.- con la Unida de Aprovechamiento 356 en 1922.721 has que representa el 38% de la Unidad	
3	BUFEO POZO 50068.197 HAs	1.- con la Concesion Maderera Rio Yaverija SAC en 49167.313 has que equivale al 97% del territorio de la concesion	
		2.- con la solicitud de la comunidad Alto Esperanza de Inuya en 1953.126 has	
4	CAPAJERIATO 9151.583 HAs	1.- Superposicion con la concesion forestal Maderera G&G Alcalzar E.I.R.L en 8549.881 has que equivale al 41.8% del area de la concesion	
5	CENTRO LAGARTO JUVENIL 2094.961	SIN PROBLEMAS DE SUPERPOSICION CON ALGUNA CONCESION O UNIDAD DE APROVECHAMIENTO PERO SI CON EL BPP EN 1999.013 HAS	
6	CENTRO PUCANI 6679.414 Has	1.- Superposicion con la concesion forestal Inversiones Tecnicas Maderables SAC en 3434.471 has que representa el 12% del area de la concesion	
		2.- Superposicion con la concesion forestal Atalaya E.I.R.L en 2834.995 has que representa el 15% del area de la concesion	
		1.- Superposicion con la concesion forestal Inversiones Tecnicas Maderables SAC en 2509.378 has que representa el 9% del area de la concesion	
		2.- Superposicion con la concesion forestal Atalaya E.I.R.L en 4927.048 has que representa el 27% del area de la concesion	

7	CHURINASHI 29319.782 Has	3.- Superposicion con la concesion forestal Enchapes y Laminas del Peru SAC en 5996.810 has que representa el 40% del area de la concesion	
		4.- Con la Unidad de Aprovechamiento 342 en 3947.642 has que equivale a 79% de la Unidad	
		5.- Con la Unidad de Aprovechamiento 343 en 4465.412 has que equivale a 96% de la Unidad	
		6.- Con la Unidad de Aprovechamiento 353 en 2470.586 has que equivale a 49% de la Unidad	
		7.- Con la Unidad de Aprovechamiento 356 en 2475.474 has que equivale a 49% de la Unidad	
8	COLPA 18487.405 Has	1.- Superposicion con la concesion forestal Amazon Jopa E.I.R.L. en 4787.868 has que representa el 35% del area de la concesion	1.- Con la Unidad de aprovechamiento 290
			2.- Con la Unidad de aprovechamiento 291
9	IMPOKIRO 4564.036 Has	1.- Superposicion con la concesion forestal Maderera G&G Alcalzar E.I.R.L.C en 4473.688 has que representa el 10% del area de la concesion	
10	JANABENI 15931.787 Has	1.- Superposicion con la concesion forestal Maderera G&G SAC en 8004.027 has que representa el 56% del area de la concesion	1.- Con la Unidad de aprovechamiento 442
11	MATOTENKABO 21599.829 Has	1- Superposicion con la concesion forestal Negociacion Maderera Travi Satipo S.R.L. NEMATSA en 58434.233 has que representa el 23% del area de la concesion	
		2- Superposicion con la concesion forestal Consorcio Foca SAC en 7887.086 has que representa el 19% del area de la concesion	
12	NUEVO AMIA 30469.355 Has	1- Superposicion con la concesion forestal Industria Forestal N Y S EIRL en 24959.514 has que representa el 99.8% del area de la concesion	
		2.- Con la Unidad de Aprovechamiento 273 en 1218.635 has que equivale a 16% de la Unidad	

		3.- Con la Unidad de Aprovechamiento 274 en 4291.137 has que equivale a 64% de la Unidad	
13	NUEVO ANTAMI 27469.022 Has	1- Superposicion con la concesion forestal Consorcio Forestal BCB en 21264.955 has que representa el 43% del area de la concesion	
		2.- Con la Unidad de Aprovechamiento 228 en 5915.629 has que equivale a 79% de la Unidad	
		3.- Con la Unidad de Aprovechamiento 230 en 8728.607 has que equivale a 99% de la Unidad	
14	NUEVO SAN MARTIN 7487.499 Has	1- Superposicion con la concesion forestal Maria de Carmen Pariona Coz en 80.609 has que representa el 1.65% del area de la concesion	
		2- Superposicion con la concesion forestal Maderera G&G Alcalzar EIRL en 4039.360 has que representa el 20% del area de la concesion	
		3- Superposicion con la concesion forestal Industria Forestal ITATI SAC en 2558.028 has que representa el 36% del area de la concesion	
		4- Superposicion con la concesion forestal Maderera G&G SAC en 571.311 has que representa el 4% del area de la concesion	
15	OJEAYO 7036.956 Has	1- Superposicion con la concesion forestal Inversiones Tecnicas Maderables SAC en 4710.032 has que representa el 17% del area de la concesion	
		2.- Con la Unidad de Aprovechamiento 356 en 564.236 has que equivale a 11% de la Unidad	
		3.- Con la Unidad de Aprovechamiento 353 en 735.337 has que equivale a 15% de la Unidad	
		4- 1027.351 has esta en BPP sin UA	
		1- Superposicion con la concesion forestal Inversiones H.S.T. SAC en 5215.14 has que representa el 16% del area de la concesion	

16	ONCONOSHARI 10235.560 Has	2- Superposicion con la concesion forestal Maderera G&G Alcalzar EIRL en 4504.655 has que representa el 9% del area de la concesion	
		3.- existe superposicion de 4500.070 has con la solicitud de la CC.NN. IMPOKIRO que viene hacer el 99% del area de esta comunidad	
17	PAUJILERO 8827.254 Has	1- Superposicion con la concesion forestal Negociacion Maderera Travi-Satipo SRL en 8689.815 has que representa el 16% del area de la concesion.	
18	PUERTO ESPERANZA 14496.556 Has	1- Superposicion con la concesion forestal Enchapes y Laminas del Peru SAC en 4961.618 has que representa el 33% del area de la concesion	Con la Unidad de Aprovechamiento 343 EN UN 100%
		2- Superposicion con la SOLICITUD DE LA cc.nn. Churinashi en 10841.884 has que representa el 37% del area de la concesion	
		3.- Con la Unidad de Aprovechamiento 342 en 4873.051 has que equivale a 18% de la Unidad	
19	PUIJA 36240.648 Has	1.- Superposicion con la concesion forestal Maderera Rio Yaverija sac con la UA 468 de esta concesion en 6466.777 has que representa el 93% del area deesta UA que pertenece a esta concesion.	1.- Superposicion con la concesion forestal Maderera Rio Yaverija sac con las UA 469,471,472 al 100% que pertenece a esta concesion
		3.- Con la Unidad de Aprovechamiento 467 en 1897.869 has que equivale a 93% de la Unidad	2.- Superposicion con la UA 470 al 100% que pertenece a la Concesion Forestal Inversiones H.S.T. SAC
20	SAN JUAN DE INUYA 36148.698 has	1.- Superposicion con la concesion forestal Industrial Forestal ITATI SAC en 5437.192 has que representa el 77% del area de la concesion	
		2.- Superposicion con la concesion forestal Maria del Carmen Pariona Coz en 2475.396 has que representa el 51% del area de la concesion	
		3.- Superposicion con la concesion forestal Maderera Rio Yaverija SAC en 28090.930 has que representa el 56% del area de la concesion	

		4.- Superposicion con la solicitud de la CC.NN Bufeo Pozo en 28186.74 has que representa el 78% del area de laCC.NN. San Juan de Inuya	
		5.- Superposicion con la solicitud de la CC.NN Alto Espperanza de Inuya en 1953.126 has que representa el 5% del area de laCC.NN. San Juan de Inuya	
21	SANTA ISABEL DE TAHUANIA 29672.733 HAS	1.- Superposicion con la concesion forestal Forestal Tahuania SAC en 9872.042 has que representa el 44% del area de la concesion	La Unidad de Aprovechamiento 297 esta 100% dentro del area la solicitud de la CC.NN.
		2.- Superposicion con la concesion forestal Marco Antonio Valderrama en 2169.286 has que representa el 30% del area de la concesion	
		3.- Superposicion con la concesion forestal Maderera Marañon SRL en 8988.816 has que representa el 32% del area de la concesion	
		4.- Con la Unidad de Aprovechamiento 295 en 5379.322 has que equivale a 75% de la Unidad	
		5.- Con la Unidad de Aprovechamiento 303 en 4072.306 has que equivale a 69% de la Unidad	
22	SEPAHUA 23836.430 HAS	1.- Superposicion con la concesion forestal Representaciones INDEZA SAC en 9902.258 has que representa el 96% del area de la concesion	
		2.- Con la Unidad de Aprovechamiento 435 en 2850.504 has que equivale a 55% de la Unidad	
		3.- Con la Unidad de Aprovechamiento 439 en 3131.791 has que equivale a 52% de la Unidad	
		4.- Con la Unidad de Aprovechamiento 440 en 3248.919 has que equivale a 42% de la Unidad	
		5.- Con la Unidad de Aprovechamiento 438 en 4413.581 has que equivale a 82% de la Unidad	
23	TRES COLINAS 11041.884 HAS	1.- Superposicion con la concesion forestal Maderera G&G Alcalzar EIRL en 7739.728 has que representa el 17% del area de la concesion	

24	UNION MIRAFLORES CAPIRONA 18615.324 HAS	1.- Superposicion con la concesion forestal Inversiones H.S.T. SAC en 17195.608 has que representa el 53% del area de la concesion	
		1.- Superposicion con la concesion forestal Maderera GYG Alcalzar EIRL en 1325.778 has que representa el 3% del area de la concesion	