

TERRITORIAL FRAGMENTATION, DISPOSSESSION, AND VIOLENCE AGAINST CROSS-BORDER INDIGENOUS PEOPLES AND NATIONS

Systematic and Multidimensional Violations
of Rights and State Obligations to Protect
in Ecuador, Colombia, and Peru

Territorial Fragmentation, Dispossession, and Violence Against Cross-Border Indigenous Peoples and Nations: Systematic and Multidimensional Violations of Rights and State Obligations to Protect in Ecuador, Colombia, and Peru - EXECUTIVE SUMMARY

Awá, A'i Cofán/Kofán, Andwa , ZioBain/Siona, Siekopai/Secoya, Achuar, Shuar y Wampis

This report results from a collective process of research, documentation, systematization, and analysis carried out from 2021 to 2026, with the participation—at various stages—of Indigenous communities, peoples, nations, and organizations, as well as allied organizations committed to the defense of human, collective, and territorial rights.

This publication documents, analyzes, and highlights the multiple forms of rights violations affecting Indigenous peoples and nations whose ancestral territories, social relations, and cultural, spiritual, and self-governance systems transcend the political and administrative borders established between Ecuador, Colombia, and Peru. It also serves as a tool for documentation, record-keeping, advocacy, and enforcing of rights before States, international human rights protection mechanisms, and other actors responsible for preventing, investigating, repairing, and ensuring non-repetition of the documented violations.

The collective authorship of this publication acknowledges and affirms the contributions of the knowledge, experiences, testimonies, analyses, and organizational processes of the participating indigenous communities, peoples, and nations. It also affirms their leading role in generating knowledge about their own realities and in defining proposals for the defense of their rights and territories. Interpret the report with respect for the historical, political, territorial, and cultural contexts in which it was produced, as well as the principles of self-determination, autonomy, participation, free, prior, and informed consent, and respect for the collective rights of Indigenous peoples.

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Amazonia, October 2026

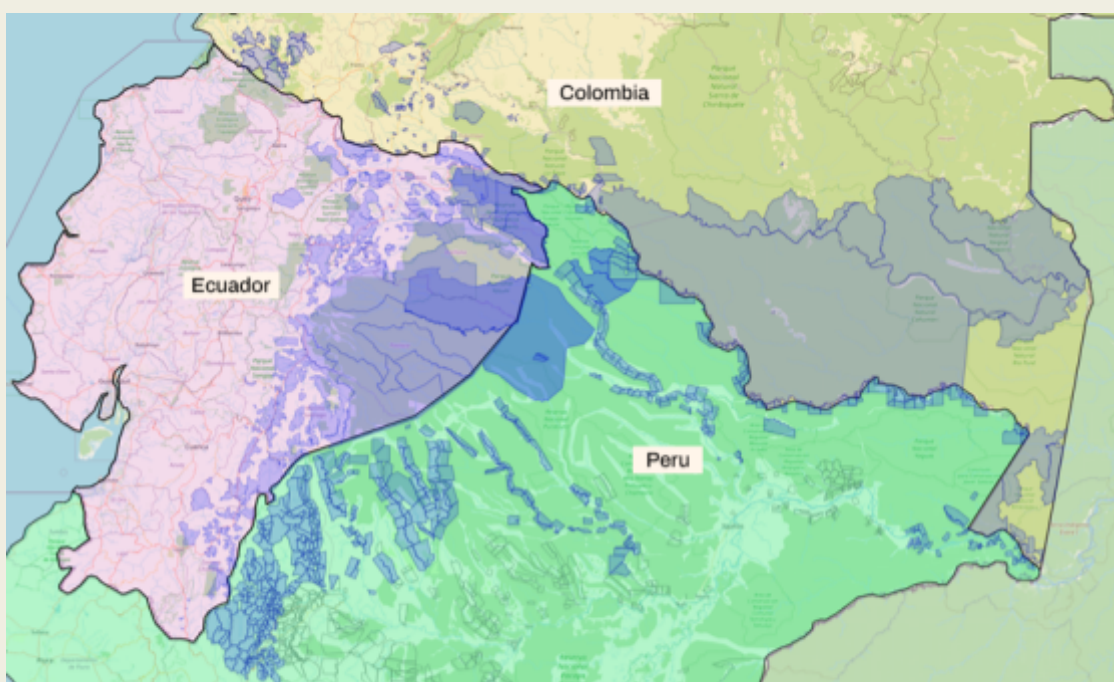


Introduction

This report documents the situation of cross-border Indigenous peoples in the Andean-Amazonian region, who face historical, ongoing, and systematic violations of their human rights, attributable to both acts and omissions by the States of Ecuador, Peru, and Colombia. These violations breach international human rights obligations and call for comprehensive reparation, guarantees of non-repetition, and effective recognition of collective rights.

Unlike traditional approaches to cross-border dynamics, this report centers on peoples whose existence predates the formation of nation-states. Accordingly, it grounds their right to self-determination in their historical, territorial, and cosmogonic continuity, in accordance with ILO Convention No. 169, the United Nations Declaration on the Rights of Indigenous Peoples, and the jurisprudence of the Inter-American Human Rights System.

International borders have functioned as mechanisms of territorial fragmentation and control, serving extractive economic models and processes of militarization. This is compounded by the States' failure to exercise due diligence in guaranteeing economic, social, cultural, and environmental rights, which has facilitated the presence of non-state armed actors and the expansion of illicit economies, creating conditions of structural risk for these peoples.



Map I. Fragmented Indigenous Territories in Ecuador, Colombia, and Peru

Data source: Amazonian Network of Geo-Referenced Socio-Environmental Information (RAISG), 2020. Prepared by: Humberto Freire¹.

¹ Data source: RAISG, 2020. Prepared by: Humberto Freire.

From a historical perspective, a persistent pattern of territorial dispossession, displacement, and violence can be traced back to the colonial period and becomes entrenched with the formation of republican States. This process was sustained through legal frameworks and public policies that prioritized the exploitation of natural resources over the recognition of Indigenous peoples' territorial rights, in violation of applicable international standards.



The oil industry has been the main driver of deforestation in the Ecuadorian Amazon for decades. Roads and oil pipelines built to access oil facilities—such as this one, near the ancestral lands of the Siona people, built by the Chinese oil giant Andes Petroleum—often strike the rainforest's integrity first, followed by settlement. Amazon Frontlines created this map of oil ponds in October 2017. Photo: Mitch Anderson / Amazon Frontlines.

The delimitation of interstate boundaries, as well as the extractive cycles—including Cinchona (to obtain quinine, the first effective treatment against malaria), rubber, and oil—fragmented Indigenous peoples such as the Awá, A'í Cofán, Ziobain, Siekopai, Andwa, Achuar, Shuar, and Wampis, undermining their territorial, social, and cultural integrity. Today, these harms have intensified as extractive activities expand, projects are imposed without free, prior, and informed consent, and security policies are implemented, resulting in serious violations of human rights and international humanitarian law.

The report also documents the relationship between extractivism, militarization, and illicit economies—including drug trafficking and mining—as interrelated factors that exacerbate the situation of cross-border peoples. These dynamics have contributed to deforestation, the contamination of water sources, and the degradation of territories that, according to Indigenous worldviews, are living entities with spiritual, cultural, and political significance.

Despite evidence of the fundamental role these peoples play in conserving Amazonian ecosystems, States have limited their effective participation in decision-making on environmental and climate policies. In doing so, they have failed to fulfill their obligation to guarantee the rights to participation and to free, prior, and informed consent. This exclusion takes place in a context of high socioeconomic vulnerability in border territories, characterized by high levels of multidimensional poverty and limited institutional presence.

The situations described violate rights protected under international human rights law, including the rights to self-determination, collective land ownership, cultural identity, a healthy environment, and free, prior, and informed consent. Together, these dynamics place these peoples at risk of physical and cultural extinction.

For this reason, this report calls on the States of Ecuador, Peru, and Colombia to adopt urgent and structural measures to guarantee the rights of cross-border peoples, including the recognition of their territories in their entirety, the implementation of effective protection mechanisms, and the alignment of their legal frameworks and institutional practices with applicable international standards.

The report is organized into two parts. The first part examines the structural dynamics affecting the cross-border Amazonian region. The second part provides a focused analysis of the situation of the peoples addressed in this report.

II. Conceptual, Methodological, and Legal Framework

Concept of Indigenous Peoples and the Cross-Border Dimension

The concept of Indigenous peoples or nations refers to peoples who predated the formation of nation-states and who developed and continue to maintain their own governing institutions, forms of social organization, and systems of authority, despite restrictions and violence imposed by third parties and the States themselves.

Cross-border peoples are those whose territorial, social, political, cultural, and spiritual ties extend beyond state borders. They understand territory through a holistic, cosmogonic perspective, precisely because their existence predates contemporary political and administrative divisions.

From this perspective, their territories do not align with state boundaries that divide historically interconnected areas. The cross-border dimension is not a quality derived from the border itself, but a historical reality of peoples whose territories the border fragmented. Therefore, its analysis must be approached from the perspective of self-determination, rather than through an exclusively state-centered or administrative understanding of territory.

This approach requires understanding States' obligations to respect, guarantee, and promote rights in relation to territorial systems that transcend international boundaries and are shaped by worldviews, spiritual ties, and their own forms of governance.

Epistemic and Methodological Scope

Referring to these peoples as cross-border serves an epistemological and methodological purpose. First, it makes visible peoples who, through resistance and political reorganization, continue to assert their existence as collectivities united by a common language, a shared belief system, and a spiritual relationship with a common territory.

In this context, recognizing their right to exist as cross-border peoples takes on particular significance in scenarios of multiple, systematic violations involving several States. Their territories must be understood as living spaces grounded in their cultural, spiritual, and cosmological identities.

Methodologically, this report departs from the methodological nationalism that has predominated in academia and human rights protection systems. This approach has prioritized state-centric frameworks that fragment territories and limit the analysis to national borders.

The existing literature on cross-border phenomena has prioritized the study of cities, capital flows, trade relations, and environmental phenomena, while relegating Indigenous peoples to a marginal position. Even critical approaches to the state model have tended to focus on recent dynamics of globalization, overlooking the fact that these peoples' cross-border dimension is a longstanding historical reality.

Accordingly, this report shifts the analytical focus from the border as an object of study to Indigenous peoples as preexisting collective subjects. These are not communities seeking to transcend state borders, but peoples who have historically maintained material and spiritual connections to their territories as a whole.

Territory, Life, and a Critique of the Anthropocentric Approach

Recognizing these peoples also entails questioning an exclusively anthropocentric perspective. This analysis treats territories as subjects entitled to special protection and, in many cases, as living entities affected by border imposition and by extractive, state-driven, and armed-group dynamics.

From this perspective, the areas that state law designates as "borderlands" constitute spaces of life for these peoples. For this reason, categories such as "binational" or "transnational" are problematic because they reproduce a state-centric framework that fragments these peoples' territoriality and fails to recognize their pre-existing status.

Borders, Capital Accumulation, and Territorial Control

In the Amazon, borders are historical, contested, and contingent constructs shaped by actors seeking to control territories, resources, and revenues. They do not function merely as dividing lines, but as dynamic spaces where economic, political, and military relations intersect.

The concept of bordering helps explain how these dynamics are linked to the expansion of neoliberal capitalism. Borders function as mechanisms that organize and integrate territories in ways that facilitate resource exploitation, regulate flows, and discipline populations.

Historically, States established these borders from centers of power, guided by criteria of territorial control and the exploitation of extractive enclaves. In this process, Indigenous peoples were treated as wards under state tutelage, while States declared their territories vacant and available for colonization.

As a result, States prioritize capital flows and regulate border dynamics according to logics of control and securitization. By contrast, Indigenous peoples' own economic systems are classified as informal, restricting the exercise of their rights and deepening conditions of poverty and marginalization.

Self-Determination and the International Legal Framework

The right to exist as cross-border peoples expresses the right to self-determination. The relationships with their territories form an integrated whole grounded in worldviews, ancestral ties, and historical practices.

ILO Convention No. 169 recognizes this reality by requiring States to facilitate contact and cooperation among Indigenous peoples across the border (Article 32). Similarly, the United Nations Declaration on the Rights of Indigenous Peoples recognizes the right to maintain cross-border relations and cooperation (Article 36).



Before proceedings on the restitution of Pë'këya's ancestral territory being, elders from the Siekopai community of San Pablo de Katëtsiaya, Sucumbios, Ecuador, offer the judges hearing the appeal a traditional infusion madre from the yokó vine. May 30, 2023. Photo: Daris Payaguaje / Alianza Ceibo.

Within the Inter-American system, the Inter-American Court of Human Rights has established that state responsibility may extend to cross-border harm, particularly in environmental matters. This principle is essential to understanding the harms on peoples whose territories span multiple state jurisdictions.

The Inter-American Commission on Human Rights (IACHR) has also highlighted the serious circumstances these peoples face, particularly those living in voluntary isolation or initial contact, and has identified militarization, extractive pressures, and the expansion of illicit economies as threats.

Taken together, the applicable *corpus juris* imposes on States obligations of recognition, protection, cooperation, participation, and repair. These obligations go beyond the formal recognition of rights and require effective measures to guarantee the territorial continuity and self-determination of these peoples.

Consequently, States have both individual responsibility for violations committed within their jurisdiction and shared responsibility when harms affect Indigenous peoples whose territoriality cannot be adequately understood or protected through a strictly national approach.

III. Peoples Covered in This Report

This report recognizes that Indigenous peoples inhabit the Andean foothills of the Amazon and Amazonia, which together form an integrated territory connecting Ecuador, Peru, and Colombia. Although these areas appear, from a state-centered perspective, as separate regions divided by borders, these peoples understand them as continuous spaces of life.

Table I. Cross-border Indigenous Peoples

Border	No. of Peoples	Peoples and/or Nations
Colombia and Ecuador	7	Awá, Pastos, A'i Kofán/Cofan, Siona/ZioBain, Eperãra-Siapidaarã, Emberá, Chachi
Ecuador and Peru	7	Achuar, Sápara (Zápara), Andwa, Siekopai (Secoya), Shuar-Wampis, Shiwiar, Tagaeri-Taromenane
Peru and Colombia	6	Tikuna, Murui, Bora, Ocaina, Andoque and Yagua
Colombia, Ecuador and Peru	1	Kichwa
TOTAL	21	

Created by the author

At least 18 Indigenous peoples and/or Nations in this region have been fragmented by the borders between the three States, with an estimated population of **725,678** people in these border regions. This figure should be interpreted with caution because of census undercounting and a lack of culturally appropriate methodologies.

The analysis focuses on the Awá, A'i Cofán, Siona/Ziobain, Siekopai, Andwa, Achuar, Shuar, and Wampis peoples, whose territorialities are interconnected across the watersheds of the San Miguel, Putumayo, Napo, Pastaza, and Marañón rivers. Together, the territories covered in this report span about 6.2 million hectares (approximately 15.32 million acres).

The Awá Peoples, located across Ecuador and Colombia, maintain an integrated territorial identity expressed through the concept of *Katsa Su* and their use of the Awapit language. Their organizational process as the Gran Familia Awá reflects a sustained effort to reclaim and affirm their territorial unity.

The A'i Cofán Peoples, also located in Ecuador and Colombia, have pursued coordination and reunification since the late twentieth century. Extractive activities and overlapping protected areas have affected their territory, yet these developments have not weakened their assertion of themselves as a unified people.



The Siona, or Ziobain, peoples, who belong to the Western Tucanoan language family, are fragmented by the borders of Ecuador, Colombia, and Peru. Their communities have faced forced displacement, territorial dispossession, and barriers to the recognition of their rights, particularly in the context of Colombia's armed conflict.

The Siekopaai peoples, present in Ecuador and Peru, have pursued administrative, judicial, and political processes to restore their territory as a whole after international conflicts displaced them.

The Andwa peoples, located in the Bobonaza River basin, were likewise fragmented by the war between Ecuador and Peru. Since 2008, they have strengthened efforts to reunify their territory through their own political coordination mechanisms and cultural practices.

The Achuar peoples, divided between Ecuador and Peru, maintain one of the region's largest territorial expanses. Despite this fragmentation, they have preserved strong organizational and territorial continuity.

Finally, the **Shuar and Wampis peoples** have developed various forms of organization on both sides of the border. A notable example is the establishment of the Autonomous Territorial Government of the Wampis Nation in Peru, a contemporary exercise of Indigenous autonomy.

The present-day reality of these peoples must be interpreted in relation to two complementary dimensions: on the one hand, the historical imposition of borders and state mechanisms of control; on the other, the ongoing strategies of resistance, reorganization, and territorial defense that sustain their existence as peoples.

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Tabla II.-Indigenous population in selected departments and provinces of the border regions of Colombia, Ecuador, and Peru, according to the latest available official censuses²

Country	Department	National census	Native-Born Indigenous Population
Colombia ³	Putumayo	2018	50.694
	Nariño	2018	206.455
	Amazonas	2018	38.130
	Subtotal Colombia		295.279
Ecuador ⁴	Sucumbíos	2022	32.403
	Orellana	2022	67.858
	Pastaza	2022	56.887
	Esmeraldas	2022	18.570
	Carchi	2022	7.334
	Zamora Chinchipe	2022	20.975
	Morona Santiago	2022	112.722
	Subtotal Ecuador		316.749
Peru ⁵	Loreto	2025	176.943
	Amazonas	2025	117.806
	Subtotal Peru		294.749
	Arithmetic sum of the three countries		906.777

Source: Colombia: DANE (National Administrative Department of Statistics), 2018: National Population and Housing Census Results, for the Departments of Putumayo and Nariño. Ecuador: INEC (National Institute of Statistics and Census), 2022 Population and Housing Census Bulletins, for the provinces of Esmeraldas, Carchi, Sucumbios, Orellana, and Pastaza; Peru: INEI (National Institute of Statistics and Informatics), Final Results of the 2017 Census of Population, Housing, and Indigenous Communities, for the departments of Amazonas and Loreto.

² This data does not constitute a uniform measure of the cross-border indigenous population. It represents the results of three national census operations conducted in different years—Colombia in 2018, Ecuador in 2022, and Peru in 2025—each using its own self-identification categories and census designs. Furthermore, the data pertains to entire departments and provinces, rather than exclusively to the areas along the border.

³ **Colombia.** National Administrative Department of Statistics [DANE]. (2019). *Release of Results: Indigenous Population. 2018 National Population and Housing Census*. DANE.

⁴ **Ecuador.** Secretariat for the Management and Development of Peoples and Nationalities. (2023). *Presentation: 2022 Census—Peoples and Nationalities*. Government of Ecuador, based on the 8th Population Census and 7th Housing Census conducted by the National Institute of Statistics and Censuses [INEC].

⁵ **Perú:** National Institute of Statistics and Informatics [INEI]. (2026). *2025 National Censuses: 13th Population Census, 8th Housing Census, and 4th Indigenous Communities Census*.

IV. Relevant Events and Historical Patterns

The Amazonian region spanning Colombia, Ecuador, and Peru has long been inhabited and governed by Indigenous peoples who developed their own forms of social, political, and spiritual organization. These territorialities do not correspond to later state borders but reflect long-standing patterns of mobility and cultural continuity.

With the formation of nation-states in the 19th century, foreign legal, political, and territorial frameworks were imposed without recognizing their prior existence. Conflicts, elite negotiations, and interstate agreements established international borders, creating divisions that fragmented ancestral territories.

In the late 19th and early 20th centuries, the quinine and rubber extraction cycles consolidated a model of exploitation based on territorial control, violence, and dispossession. These dynamics became intertwined with transnational economic interests and involved state participation or tolerance.

During the 20th century, interstate armed conflicts—including the Colombian–Peruvian War and the wars between Ecuador and Peru—deepened territorial fragmentation. These processes led to forced displacement, militarized territories, and disrupted social and cultural ties.

Later, the expansion of oil extraction reshaped the Amazon into a strategic enclave for exploitation. States granted concessions without guaranteeing territorial rights or consultation, leading to infrastructure development, state-induced colonization, and severe environmental damage.

Religious missions and colonization policies also contributed to the forced relocation of communities and the transformation of their ways of life, facilitating the expansion of extractive activities.

In the late 20th century, the expansion of drug trafficking, armed conflict, and militarization intensified these harms. The presence of armed actors and the implementation of security policies generated new forms of violence, displacement, and territorial control.

Together, these events form a historical pattern of violations characterized by border imposition, territorial fragmentation, dispossession, militarization, and the imposition of extractive activities without consent.

V. Systematic and Multidimensional Violations

The violations identified reflect a sustained pattern of state actions, omissions, and tolerance that recurrently affect the life, territories, and forms of organization of cross-border Indigenous peoples.

Their multidimensional nature stems from the convergence of state, corporate, armed, extractive, and conservation-related factors that operate in an interconnected manner. These dynamics do not operate in isolation; rather, they reinforce one another and restrict the exercise of the right to self-determination.

The report identifies five main areas in which rights are violated:

- The infringement of economic, social, cultural, and environmental rights due to the absence of the State;
- Territorial dispossession through restrictive legal regimes;
- Violations of the right to consent in relation to extractive activities;
- Violence associated with illicit economies and armed actors;
- The imposition of conservation policies that limit autonomy.

Tabla III- Rights of Cross-Border Peoples and Nations

Constitutional Guarantees	Regulations	Internal Regulatory Development	International Instruments
Ecuador	2008 Constitution, Art. 7.3: Recognizes as Ecuadorians by birth persons in border areas belonging to communities, peoples, or nationalities recognized by Ecuador. Art. 57.—The following collective rights shall be recognized and guaranteed to indigenous settlements, communities, peoples, and nationalities (...): (...) 18. Maintain and develop contacts, relations, and cooperation with other peoples, particularly those separated by international borders.	Article 123 of the Organic Law on Human Mobility establishes a separate rule : the standard immigration requirements for entry and exit do not apply to members of cross-border peoples and nationalities, and their procedures must be defined in accordance with international instruments and their implementing regulations. Article 211 of the Regulations provides that their entry and exit shall be governed by those instruments.	ILO Convention No. 169 Concerning Indigenous and Tribal Peoples (1989). Ratified by Ecuador on May 15, 1998, and in place since May 15, 1999. United Nations Declaration on the Rights of Indigenous Peoples. Adopted by the General Assembly through Resolution A/RES/61/295 on September 13, 2007. Ecuador voted in favor of its adoption.

Colombia	1991 Constitution, Art. 96.2.c: Recognizes the possibility for members of Indigenous peoples who share border territories to acquire Colombian nationality through adoption, although this is subject to the principle of reciprocity as outlined in public treaties. Art. 289: Allows border provinces and municipalities to develop cooperation and integration programs with territorial entities in the neighboring country for community growth, public services, and environmental preservation.	Law 191 of 1995 establishes a special regime for border areas with specific safeguards for Indigenous peoples. Article 3 mandates that the State support the initiatives of border indigenous communities and their authorities; Article 5 requires prior consultation with indigenous authorities when the demarcation of zones and border integration measures involve indigenous territories; and Article 7 provides that, in agreements on border cooperation and integration, special attention must be given to requests made by indigenous authorities. Article 40 assigned mandates aimed at promoting binational agreements that facilitate, under the principle of reciprocity, dual citizenship for Indigenous people in border areas and at ensuring their participation in the formulation and implementation of border policy. Following the abolition of the Presidential Office for Border Affairs by Decree 1182 of 1999, the functions it had exercised in accordance with Law 191 were transferred to the Ministry of Foreign Affairs. For its part, Law 2332 of 2023, currently in force regarding nationality, reproduces in Article 3.2.c the constitutional provision under which members of Indigenous peoples who share border territories may acquire Colombian nationality by adoption, with the application of the principle of reciprocity as outlined in public treaties.	ILO Convention No. 169 Concerning Indigenous and Tribal Peoples (1989). Adopted domestically by Law No. 21 of 1991; ratified by Colombia on August 7, 1991, and in force for the State since August 7, 1992. United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly through Resolution A/RES/61/295 on September 13, 2007. Colombia abstained from the vote in 2007, but on April 20, 2009, it officially expressed its support for the Declaration.
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Perú	The 1993 Constitution does not address communities divided by international borders, unlike Ecuador's Article 57.18 and Colombia's Article 96.2.c However, Article 89 recognizes the legal existence and legal personality of rural and Indigenous communities, their organizational, economic, and administrative autonomy; the inalienability of their lands—except in cases of abandonment, as the Constitution provides—and the state's duty to respect their cultural identity.	Law No. 29785, the Law on the Right to Prior Consultation of Indigenous and Native Peoples, sets forth the content, principles, and procedures for consultation regarding legislative or administrative measures, as well as development plans, programs, and projects that may directly affect their collective rights, and provides for its interpretation in accordance with ILO Convention No. 169. As a general framework for regional integration, Decision 878 of 2021 of the Andean Community establishes the Andean Migration Statute and facilitates movement and residence among Bolivia, Colombia, Ecuador, and Peru; however, it is based on Andean nationality and not a special mechanism designed to guarantee the territorial, cultural, or mobility rights of transboundary indigenous peoples.	ILO Convention No. 169 concerning Indigenous and Tribal Peoples (1989). Approved by Legislative Resolution No. 26253. Instrument of ratification dated January 17, 1994, deposited with the ILO on February 2, 1994; in place since February 2, 1995. United Nations Declaration on the Rights of Indigenous Peoples. Adopted by the General Assembly through Resolution A/RES/61/295 on September 13, 2007. Peru voted in favor of its adoption.
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Source: Compiled by the author based on the Constitutions of Ecuador (2008, Arts. 7.3 and 57.18), Colombia (1991, Arts. 96.2.c and 289), and Peru (1993, Art. 89); Ecuador's Organic Law on Human Mobility (Art. 123); Law No. 191 of 1995 and Law No. 2332 of 2023 of Colombia; Law No. 29785 of Peru; Decision No. 878 of the Andean Community; ILO Convention No. 169 (particularly Art. 32); United Nations Declaration on the Rights of Indigenous Peoples (Art. 36); and American Declaration on the Rights of Indigenous Peoples (Arts. XX.3 and XX.4).

Underreporting and Lack of Data

States lack adequate, culturally appropriate information about these peoples. Censuses show undercounting, inadequate categories, and methodologies developed without consultation. This data gap contributes to their institutional invisibility and hinders the development of appropriate public policies.

Poverty, Marginalization, and State Abandonment

Border regions experience high levels of poverty and a lack of basic services, with a disproportionate impact on Indigenous populations. This situation reflects the State's structural failure to guarantee economic, social, and cultural rights and limits the exercise of the right to self-determination.



Multidimensional poverty in Putumayo: In 2025, the department's poverty rate reached 13.6%, far exceeding the national average of 9.9%. Photo by Mateo Barriga / Amazon Frontlines.

Territorial Dispossession and Legal Certainty

States have consolidated legal frameworks that disregard these peoples' historical presence and favor colonization and extractive activities.

As a result, these peoples have been confined to fragmented territories, while states control vast areas of their ancestral territories or grant concessions over them.

Table IV. Amazonian Indigenous Territories by Legal Recognition, Formalization Requests, and Overlap with Protected Areas in Colombia, Ecuador, and Peru. Information verified as of October 2026 (km²).

Country	Officially recognized territories (km²)	Territories for which recognition has been requested or is pending (km²)	Territories without a formal, mapped request (km²)	Overlap with protected areas (km²)
Colombia	≈268.000 (2026)	N/D	N/D	32.733 (2023)
Ecuador	65.748 (2023)	N/D	7.224 (2023)	24.022 (2023)
Perú	303.258 (2023)	51.611 (2023)	31* (2023)	31.613 (2023)

Sources: RAISG (2023), Amazon 2023: Protected Areas and Indigenous Territories; Colombian Ministry of Environment and Sustainable Development (2026) ; Instituto del Bien Común (2025). N/A: no verified, up-to-date, and comparable total available. The figure of 268,000 km² corresponds to reserves in the Colombian Amazon biome, while the RAISG 2023 report used its own regional delineation. *The figure of 31 km² for Peru excludes communities without delineated boundaries.

Conservation and Denial of Self-Determination

Conservation policies have reinforced state control over ancestral territories without fully recognizing territorial rights. These policies restrict autonomy and traditional practices, forcing Indigenous peoples to navigate multiple legal regimes that are incompatible with one another.



Outside the Palace of Justice in Iquitos, Peru, Secoya men and women demand full title to their territory from the Peruvian Constitutional Court judges, who met in that city for the first time to hear their case. July 17, 2026. Photo: Nico Kingman/Amazon Frontlines.

Together, these dynamics constitute a structural pattern of violations involving invisibilization, marginalization, territorial dispossession, and restrictions on the right to self-determination. These harms create conditions that undermine Indigenous self-governance structures and pose a grave threat to these peoples' collective survival.

In the 21st century, the States of Colombia, Ecuador, and Peru have intensified a pattern of territorial dispossession through the expansion of extractive activities —hydrocarbons, mining, and agribusiness— on territories of cross-border Indigenous peoples. This process is characterized by imposing projects without consent, using pressure tactics or community fragmentation, and causing severe impacts on territorial and cultural integrity.

States have repeatedly failed to fulfill their obligations regarding consultation and free, prior, and informed consent. Although regulatory frameworks have improved, in practice, consultation has been reduced to formal procedures with no real ability to influence decision-making. In the hydrocarbon sector, concessions extensively overlap with Indigenous territories. Oil blocks cover around 65 million hectares (approximately 160.62 million acres) in the Amazon region, and many are still expanding. In cross-border territories, this overlap reaches nearly 50% and, in some cases, as much as 100%.



Waorani communities in Pastaza display a banner protesting Block 22 as part of the Waorani Resistance campaign in May 2018. Photo: Amazon Frontlines.

These activities have caused widespread pollution, gas flaring, recurrent spills, and unremediated environmental liabilities. As a result, these impacts directly affect community health, food security, and water sources.

This pattern is exacerbated by the interplay between extractive activities, militarization, and the presence of armed actors. In regions such as Putumayo, oil expansion has been accompanied by the presence of armed forces and illegal armed groups that restrict community participation and pressure communities to accept projects.

In the mining sector, States have granted concessions over vast areas without respecting the right to consent. These concessions overlap with approximately 450,000 km² of Indigenous territories, including protected areas. Furthermore, legal and illegal mining increasingly converge, with criminal networks using concessions to launder money.

Agribusiness, particularly palm oil cultivation and extensive cattle ranching, has driven deforestation and land grabbing. These activities advance through occupation, territorial transformation, and subsequent legalization, harming biodiversity and food sovereignty.

This is compounded by infrastructure development—roads, oil pipelines, and waterways—that facilitates colonization, deforestation, and the entry of illicit economies. Such projects are often implemented without adequate assessments of cumulative impacts or respect for territorial rights.

Together, these dynamics demonstrate that States have prioritized extractive revenues over guaranteeing collective rights, entrenching a model that is incompatible with these peoples' right to self-determination.

VII. Illicit Economies and Territorial Control

Cross-border peoples' territories have gradually become incorporated into transnational illicit economies, primarily drug trafficking, illegal mining, logging, and human trafficking. This has enabled irregular armed actors to exert territorial control.

Amazonian borderlands serve as strategic hubs for these economies because of their geography, river corridors, and limited institutional presence. Illicit production enclaves linked to transnational networks have become entrenched in these territories.

A significant proportion of Amazonian municipalities are estimated to have a presence of criminal organizations operating across multiple countries. In this context, de facto governance has emerged, in which these actors set rules, regulate everyday life, and control mobility.

These groups systematically use coercion through threats, killings, forced recruitment, displacement, confinement, and sexual violence. They also intervene in community communication systems and social control mechanisms.

The expansion of coca cultivation and drug trafficking routes is directly linked to this territorial control. Border regions account for high levels of production and transportation, causing deforestation, pollution, and increased violence.

At the same time, illegal mining has become a source of funding for these groups. This activity causes pollution, ecosystem destruction, and serious harm to health and food security.

Territorial control by armed groups extends across all three countries, consolidating cross-border corridors under illegal control. These dynamics interfere with Indigenous governance systems, restrict cultural practices, and undermine autonomy.

The state response has been predominantly militarized and reactive, failing to address structural causes or guarantee effective protection. As a result, these strategies have failed to contain the expansion of these economies.

Together, these factors constitute a pattern of serious violations that threatens the life, integrity, and capacity of these peoples to exercise self-determination.

VIII. Illegal Mining and Threats to Collective Continuity

The expansion of mining, particularly illegal and alluvial mining, harms Indigenous territories. This activity is linked to criminal networks and reinforces patterns of territorial control in border regions.

Along the Ecuador-Colombia border, mining has expanded rapidly amid weak state oversight. In Amazonian provinces, deforestation, criminal organizations, and expanding extractive activities have been documented.

In Peru, mining exhibits patterns of systemic illegality. A significant proportion of exported gold is of illicit origin, and much of the activity takes place in rivers using dredges, directly affecting Indigenous territories.



Miners on the banks of the Aguarico River, 2018. Neurotoxic mercury is illegal in Ecuador, but they frequently use it to separate gold from ore at informal mining sites. Photo: Amazon Frontlines.

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The environmental impacts are severe and cumulative. Mercury releases contaminate rivers and enter the food chain, affecting fish, wildlife, and human populations. Because fish are an essential food source, exposure is chronic.

The effects include neurological damage, impaired cognitive development, and intergenerational risks, particularly for women and children.

Mining also disrupts aquatic ecosystems, reduces biodiversity, and undermines food sovereignty. Associated deforestation intensifies these impacts and contributes to climate change.

Territorially, this activity is directly linked to armed control. In various areas, mining operations coincide with the presence of groups that perpetrate violence, restrict access, and engage in illicit economies.

The state response has been inadequate. Enforcement operations are sporadic and fail to dismantle the networks sustaining these activities.

These dynamics violate the rights to life, health, water, territory, and a healthy environment. Furthermore, they seriously undermine the conditions these peoples need to maintain their continuity by damaging their material, cultural, and spiritual foundations.



In both Ecuador and Peru, mapping and monitoring the Siekopai territory have served as the starting point for territorial recovery. With technical support and the use of technology, young Siekopai people have traveled throughout the territory, rediscovering their grandparents' stories and reclaiming their land; they are learning to use technology and getting involved in the struggle. Photo: Luke Weiss / Amazon Frontlines.

IX. Risks to Leaders and Human Rights Defenders

Human rights defenders in these territories face critical and distinct risks. This group includes leaders, traditional authorities, Indigenous Guards, and knowledge holders who defend their territories and collective rights.



The Avie community is a settlement of the A'i Cofán indigenous people, located along the Bermejo and Upper Aguarico river basins on the border between Ecuador and Colombia. For this community, the sacred yagé plant is considered a means of spiritual communication and healing. Through the icaros (sacred songs), the Taita passes down ancestral knowledge to new generations and visitors. Photo: Mateo Goff / Amazon Frontlines.

These defenders work in a context shaped by the convergence of extractive activities, illicit economies, and armed control. This situation creates an extremely dangerous environment.

Attacks include threats, stigmatization, criminalization, forced displacement, enforced disappearances, and killings. These acts of violence originate both from state and non-state actors.

The Amazon has become one of the most dangerous regions for environmental defenders. Many attacks are linked to the defense of territory.

In Colombia, the reconfiguration of the armed conflict has heightened these risks, particularly in border regions. Patterns of violence against Indigenous authorities and community-based guards persist.

In Ecuador, rising violence associated with drug trafficking and mining has increased the exposure of community leaders to risk. Militarization has not ensured their protection.

In Peru, threats are closely linked to illegal mining. Killings and attacks against Indigenous leaders who oppose these activities have been documented.

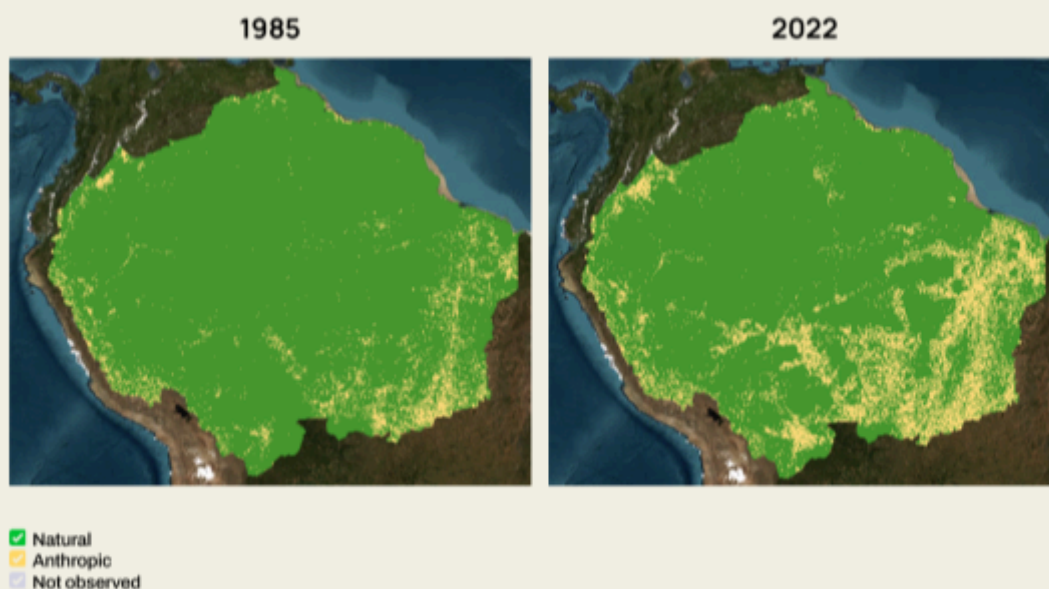
Furthermore, Indigenous protection systems, such as Indigenous Guards, have been targeted and delegitimized rather than strengthened.

These dynamics violate the rights to life, personal integrity, participation, and the defense of human rights. They also undermine these peoples' ability to sustain their autonomy and protect their territories.

X. Conservation, Exclusion, and Invisibilization

Indigenous territories are central to Amazon conservation, with lower deforestation rates and high carbon storage capacity. However, conservation frameworks have excluded the peoples who inhabit these territories.

Figure 1. Natural and Anthropogenic Land Cover in the Amazon



Prepared by: Carlos Mazabanda, Amazon Frontlines

Source: "MapBiomias Amazonia Project – Amazon Land Cover and Land Use Maps," available at: <https://amazonia.mapbiomas.org>

Environmental and climate policies do not adequately recognize these peoples as territorial authorities. States and international forums make decisions without their effective participation.

The financialization of nature exacerbates this exclusion. Mechanisms such as carbon credits, conservation funds, and debt swaps are implemented without ensuring transparency or meaningful participation.

In several cases, these instruments jeopardize Indigenous territories without guaranteeing direct benefits or adequate safeguards.

Carbon markets, in particular, have enabled asymmetric agreements, limited consultation, and weak state oversight. This reproduces relations of subordination in new forms.

Consequently, conservation can become an additional mechanism of territorial control when self-determination is not recognized.

These practices violate the rights to participation, territory, consultation, and consent. They also reveal contemporary forms of inequality and exclusion.

Conclusions

The information in this report demonstrates a systematic and multidimensional pattern of human rights violations affecting cross-border Indigenous peoples and Nations across Colombia, Ecuador, and Peru. These violations are neither isolated nor episodic: they stem from historical and contemporary dynamics that States have driven, tolerated, or failed to prevent with due diligence obligations, placing these peoples in a situation of high vulnerability and at risk of physical and cultural extermination.

First, it is particularly serious that States lack adequate, up-to-date, and culturally appropriate information systems on Indigenous peoples and fail even to account for their specific nature as cross-border peoples. Censuses undercount, lack a differentiated approach, and use categories that hide their realities. Despite these limitations, available data show that Indigenous populations in the Amazon experience levels of multidimensional poverty far above the national average, even doubling it in some cases. This reflects a structural situation of state neglect, marginalization, and exclusion from accessing and protecting economic, social, cultural, and environmental rights.

Second, the lack of legal certainty regarding territorial rights is a main cause of violations of the right to self-determination. The failure to fully formalize these territories, territorial fragmentation, overlap with protected areas, and administrative and judicial barriers imposed by States create persistent uncertainty regarding the continuity of these territories, hinder the transmission of knowledge, weaken cultural identity, and obstruct processes of self-governance and territorial reconstitution among cross-border peoples.

Third, States have systematically prioritized extractive agendas—oil, mining, and agroindustry— without guaranteeing the right to consultation and free, prior, and informed consent. This is compounded by the lack of effective action to prevent, remedy, and repair pollution caused by oil spills, environmental liabilities, mercury use, monoculture expansion, and damage to water sources. This inaction has fostered impunity for companies and economic actors that continue to obtain benefits at the expense of Indigenous peoples, their territories, and their lives.

Fourth, communities remain unprotected against illicit economies and irregular armed groups that have imposed forms of criminal governance in border territories. This has led to killings, forced displacement, confinement, recruitment, threats, and social and territorial control, generating widespread fear and discouraging the reporting of abuses. Chronic exposure to mercury from mining, along with contamination of rivers and fish, severely affects the health, food security, community life, and future prospects of these peoples, constituting a slow but sustained destruction of their physical and cultural existence.

Finally, the report confirms that Indigenous territories are among the best-preserved areas of the Amazon and play an irreplaceable role in protecting forests, biodiversity, and forest carbon stocks. However, rather than leading to the recognition and strengthening of rights, States and corporate actors have instrumentalized this reality to attract

cooperation funding and promote conservation mechanisms, debt swaps, and carbon markets without guaranteeing effective participation, direct access to financing, or enhanced protection for the territories. Under these conditions, conservation can itself become a new form of dispossession.

In light of these findings, this report concludes that the situation of cross-border Indigenous peoples and Nations demands an urgent, comprehensive, and coordinated response from the States involved, which must guarantee their right to self-determination, territorial legal certainty, protection from armed and extractive acts of violence, comprehensive reparation, and effective participation in all decisions affecting their territories and ways of life.

Unless immediate and structural measures are adopted, the risk of physical and cultural extermination will continue to intensify.

Recommendations

The documented violations require an urgent, comprehensive, and coordinated response from Ecuador, Colombia, and Peru, accompanied by sustained monitoring by international human rights protection mechanisms. This response must begin by recognizing Indigenous peoples and nations across borders as collective rights holders who predate the States, whose territories, institutions, and community relationships have kept their continuity despite the imposition of international borders. Guaranteeing their rights requires measures within each jurisdiction and cooperation mechanisms to address impacts that extend beyond State boundaries.

To the States of Ecuador, Colombia, and Peru

Legal frameworks and institutional practices should be adapted to guarantee the self-determination, self-governance, and territorial, political, cultural, and spiritual continuity of cross-border Indigenous peoples. This requires resolving pending procedures for territorial recognition and protection, complying with judicial and administrative decisions upholding their rights, and removing barriers that restrict ancestral mobility, documentation, and access to health care, education, and social protection. Interstate cooperation must strengthen indigenous governance and respect their institutions and decision-making procedures.

States must review extractive concessions and projects affecting ancestral territories, taking into account their cumulative and transboundary impacts and ensuring consultation and free, prior, and informed consent in accordance with applicable law. Where rights violations occur, States must modify or suspend the relevant activities, provide full reparations for damages, and guarantee non-repetition. Environmental and climate policies must incorporate territorial safeguards and effective indigenous participation. In areas where isolated peoples are present or where credible evidence indicates their presence, the principles of non-contact and legal measures must be observed.

Addressing illicit economies and armed actors, requires coordinated mechanisms for early warning, collective protection, and the investigation of criminal networks, agreed upon with indigenous authorities and employing differentiated approaches. Their implementation must protect communities and human rights defenders, safeguard sensitive information, and strengthen indigenous care systems, without shifting state responsibilities onto Indigenous peoples.

These recommendations must be translated into specific plans tailored to each community and territory, with designated officials, resources, timelines, and verifiable outcomes, as defined in consultation with their representative authorities. Andean integration and Amazonian cooperation initiatives must contribute to their implementation, explicitly including the protection of collective rights among their priorities.

To the Inter-American Commission on Human Rights

The Commission should strengthen its monitoring of the situation of transboundary peoples and request regular, verifiable information from the three States, disaggregated by territory, on the protection of their territories, compliance with judicial decisions, and measures to address violence and environmental impacts. This monitoring should also examine restrictions on ancestral mobility, self-governance, and the continuity of community relations.

The IACHR should promote forums for dialogue between indigenous authorities and relevant state institutions to establish concrete commitments to cooperation, with defined responsibilities, deadlines, and monitoring mechanisms. The participation of Indigenous peoples must be guaranteed from the setting of priorities through the evaluation of results,, in accordance with their own forms of representation.

Furthermore, it is recommended that the IACHR request an advisory opinion from the Inter-American Court of Human Rights to clarify the scope of states' obligations toward Indigenous peoples whose ancestral territories have been divided by international borders. The consultation should address positive obligations of cooperation to guarantee self-determination, territorial continuity, ancestral mobility, and self-governance, as well as preventing environmental harm and other violations with transboundary effects, including those linked to organized crime. This analysis must distinguish each State's individual obligations from those whose effective fulfillment requires coordinated action.

To the specialized mechanisms of the United Nations

The Special Rapporteur on the rights of Indigenous Peoples, the Expert Mechanism on the Rights of Indigenous Peoples, and the Permanent Forum on Indigenous Issues should, within their respective mandates, deepen their analysis and monitoring of Article 36 of the United Nations Declaration on the Rights of Indigenous Peoples and its relationship to self-determination. This work should help identify effective measures to safeguard the territorial, political, cultural, and spiritual ties of peoples separated by international borders.

The ILO supervisory mechanisms should strengthen their monitoring of the implementation of Article 32 of Convention No. 169, examining the cooperative measures adopted by States and the obstacles that continue to hinder compliance. Both monitoring and the development of protection standards must incorporate the knowledge, proposals, and direct participation of the authorities and organizations of the peoples concerned.

Evaluate the effectiveness of these actions based on their contribution to halting dispossession, reducing violence, preventing and remedying environmental harm, and guaranteeing the exercise of self-government. Protecting transboundary peoples requires concrete results that ensure the continuity of their territories and the conditions necessary for their physical and cultural survival.