INEQUALITIES AND CONFLICTS

IN THE LEGAL SECURITY OF INDIGENOUS PEOPLES' TERRITORIES AND THE SITUATION OF INDIGENOUS HUMAN RIGHTS DEFENDERS IN THE AMAZON

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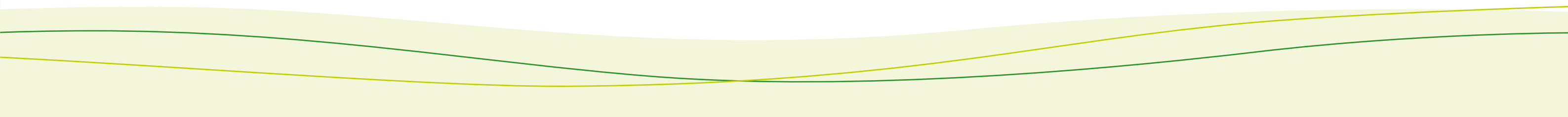


GLOSSARY

INDIGENOUS ORGANIZATIONS

AIDESEP: Interethnic Association for the Development of the Peruvian Rainforest

ACONAKKU: Association of Kakataibo Native Communities of Ucayali

ARPI SC: Regional Association of Indigenous Peoples of the Central Rainforest

CARE: Asháninka Central of the Ene River

CONAP: Confederation of Amazonian Nationalities of Peru

CORPI SL: Regional Coordinator of the Indigenous Peoples of San Lorenzo

CORPIAA: Regional Coordinator of Indigenous Peoples of AIDESEP Atalaya

ORAU: AIDESEP Ucayali Regional Organization

ORNAU: Regional Organization of Nationalities of the Ucayali Amazon

ORDEPIA: Regional Organization of Indigenous Peoples of the Amazon

ONAMIAP: National Organization of Andean and Amazonian Women of Peru

URPIA: Regional Association of Indigenous Peoples of the Atalaya Province Amazon

GOVERNMENT ENTITIES AND TERMS, CIVIL SOCIETY ORGANIZATIONS, AND INTERNATIONAL ORGANIZATIONS

ARFFS: Regional Forestry and Wildlife Authority

BPP: Permanent Production Forests

BDPI: Indigenous Peoples Database

CERD: Committee on the Elimination of Racial Discrimination

CORAH: Control and Reduction of Coca Cultivation in Alto Huallaga

IACHR: Inter-American Court of Human Rights

COFOPRI: Organization for the Formalization of Informal Property

DIGESPACR: General Directorate of Agrarian Property Regularization and Rural Cadastre

DRA: Regional Agriculture Directorate

DRAU: Regional Agriculture Directorate of Ucayali

FEMA: Specialized Environmental Prosecutor's Office

GERFOR: Regional Forestry and Wildlife Development Office

GERFFS: Regional Forestry and Wildlife Office

GORE: Regional Government

INDEPA: National Institute of Andean, Amazonian and Afro-Peruvian Peoples

MIDAGRI: Ministry of Agrarian Development and Irrigation (formerly MINAGRI)

MINAM: Ministry of Environment

MINCUL: Ministry of Culture

MINJUSDH: Ministry of Justice and Human Rights

ILO: International Labour Organization

PETT: Special Project for Land Titling and Rural Cadastre

PIACI: Indigenous Peoples in Isolation and Initial Contact Situation

PICI: Indigenous Peoples in Initial Contact Situation

SERFOR: National Forest and Wildlife Service

SERNANP: National Service of Natural Areas Protected by the State

SICCAM: Information System on Peasant Communities of Peru

SUNARP: National Superintendence of Public Registries

UEGPS: Sectoral Project Management Executive Unit

VRAEM: Valley of the Apurímac, Ene and Mantaro Rivers

PROTECTED AREAS AND TERRITORIAL CATEGORIES

ACR: Regional Conservation Area

ACP: Private Conservation Area

ANP: Protected Natural Area

PROJECTS AND PROGRAMS

DCI: Peru-Norway-Germany Joint Declaration of Intent

FIP: Forest Investment Programs

LCIPP: Local Communities and Indigenous Peoples Platform

MAAP: Monitoring of the Andes Amazon Program

DGM: Specific Dedicated Mechanism

PNCB: National Forest Conservation Program

PTRT3: Rural Land Cadastre, Titling and Registration in Peru – 3rd Stage Project

NON-GOVERNMENTAL ORGANIZATIONS AND INSTITUTIONS

AIDER: Association for Comprehensive Research and Development

IDB: Inter-American Development Bank

CEDIA: Center for the Development of the Amazonian Indigenous People

CEPES: Peruvian Center for Social Studies

CIFOR: International Forestry Research Center

DAR: Law, Environment and Natural Resources

IBC: Institute for the Common Good

IDL: Legal Defense Institute

MICI: Independent Consultation and Investigation Mechanism

UNDP: United Nations Development Programme

USAID: United States Agency for International Development

UNODC: United Nations Office on Drugs and Crime

WWF: World Wildlife Fund

Photo: Mathieu Laprise

EXECUTIVE SUMMARY

The Peruvian Amazon is facing a territorial legal security crisis that threatens the survival of 51 indigenous communities and undermines the conservation of one of the planet's most important ecosystems. This report analyzes how the lack of land titling and the weakness of legal frameworks expose native communities to multiple forms of dispossession, while those who protect these territories confront systematic threats that have made Peru one of the most dangerous countries in Latin America for environmental defenders.

The lack of legal security for indigenous land ownership is part of a violent history of extraction, dispossession, and exploitation of resources and people by foreign capital. This situation has not changed; on the contrary, both the legal and illegal economies built around these resources have multiplied across the Amazon, threatening the lives of indigenous peoples and nature.

The level of vulnerability is alarming; according to the Interethnic Association for the Development of the Peruvian Rainforest (AIDESEP), by 2022, approximately 20 million hectares of indigenous territory lacked legal recognition or land titles (ORAU & ProPurús, 2022). In contrast, individual land titles and resource exploitation concessions are approved swiftly and with relative ease; for instance, more than 40% of the Peruvian Amazon was licensed for hydrocarbon exploitation by 2024.

The Peruvian State created the "comunidad campesina" [peasant community] (Act No. 24656, 1987) and "comunidad nativa" [native community] (Decree Law No. 20653, 1974), which were later recognized in Article 89 of the 1993 Peruvian Political Constitution as autonomous entities in their organization and in the use and free management of their lands. These legal mechanisms grant legal personality to indigenous peoples, which is a fundamental step toward the recognition of their land ownership rights; however, they contain gaps in terms of ethnicity and gender.

Ucayali emerges as a paradigmatic case that concentrates all the problems of the Peruvian Amazon: more than 2 million hectares of communal lands awaiting physical-legal regularization, more than 200 native communities without legal protection, more than 100 communities with territorial conflicts due to overlapping rights, and 45 clandestine airstrips linked to drug trafficking (ORAU & ProPurús, 2025). This convergence of factors has turned Ucayali into the national epicenter of violence against indigenous defenders, with 180 people at risk according to indigenous organizations —compared to 93 official cases reported by the MINJUSDH— and 11 reported murders (ORAU & ProPurús, 2025).

The study adopts a conceptual framework based on inequality and environmental justice, complemented by intersectionality, gender, and intercultural approaches, to analyze vulnerabilities and conflicts related to the territorial rights of indigenous peoples in the Amazon and their relationship to the risks faced by indigenous human rights defenders. Qualitative methods were used, including a comprehensive documentary review, 29 semi-structured interviews with key informants (male and female community members, indigenous leaders, state officials, representatives of indigenous organizations and civil society), and two result validation workshops.

The findings related to the first objective reveal a fragmented, outdated, and contradictory legal framework that undermines legal security. The fragmentation of territory based on land classification, established by Decree Law No. 22175 of 1978, restricts communal ownership to agricultural and livestock lands, while forest areas

can only be granted for use. These regulations violate the comprehensive concept of indigenous territory and contradict ILO Convention 169, which recognizes the collective rights of indigenous peoples to their territories, as well as their right to prior consultation and control over their institutions and resources. This disarticulation is aggravated by the fundamental fact that none of the laws concerning the legal security of indigenous peoples' territories have been formulated with their participation, in violation of the principle of prior consultation established in international instruments ratified by the Peruvian State.

Physical-legal regularization processes for native communities face a number of barriers, including overlaps with other legal forms (Protected Natural Areas, Permanent Production Forests, forestry and hydrocarbon concessions), long and costly bureaucratic procedures with ambiguous technical criteria, limited operational capacity of regional governments, lack of communication and coordination between state entities (MIDAGRI, SERNANP, SUNARP), institutional corruption —which has even led to investigations and sanctions against officials in Amazonian departments for deforestation, land trafficking, and illegal logging— and political instability.

As a result, some communities have been waiting decades for land titling, such as the native community of Unipacuyacu (Puerto Inca, Huánuco), which has been in this process for more than 30 years. In contrast, regulations such as Act No. 32293 and Act No. 31973 facilitate the swift and straightforward granting of individual titles and concessions to private individuals, within a legal framework that systematically prioritizes extractivism over indigenous rights. This is evidenced by the fact that forest concessions already cover 7% of the national territory, while more than 50% of the area classified as Permanent Production Forests overlaps with native community territories. Act No. 31973 exacerbates this situation by enabling the reclassification of deforested forests as agricultural land, thereby legitimizing invasion processes.

The second objective analyzes the case of Ucayali focusing on previous land titling experiences and the interviewees' perceptions of the limitations of the physical-legal regularization process, the threats to legal security, and their consequences. Ucayali is one of the Amazonian regions most affected by the lack of legal security for indigenous territories. Over the past five years (2020-2024), according to the database of the Regional Agriculture Directorate of Ucayali (DRAU), only 18 native communities have been titled (an average of three per year), of which less than two-thirds (62.2%) have their titles registered in the public registry. This situation is exacerbated by inconsistent official data: while the indigenous Peoples Database (BDPI) records 258 titled native communities in Ucayali, the DRAU reports 398, revealing a discrepancy of 140 communities that reflects the lack of unified cadastral systems and facilitates land trafficking.

Territorial legal security is threatened not only by multiple practical and theoretical legal limitations, but also by a series of mechanisms and actors operating in informal and illegal contexts. Barriers to obtaining land titling are diverse, involve several actors and exist at various levels. At the State level, there is lack of resources and institutional reach for physical-legal regularization processes, political and administrative instability —which delays or paralyzes processes—, absence of an updated and unified cadastral database, lack of standardized georeferencing processes, and lack of regulations adequate for the local context. At the level of indigenous organizations, the main limitation is the lack of budget and technical support. At the community level, the main barrier is also the lack of resources, followed by the lack of information about the titling process. Furthermore, native communities often occupy vast territories that cannot be always fully monitored by their population.

From a gender perspective, specific barriers are identified. Indigenous women have limited participation in boundary commissions for land demarcation, and according to previous studies, they feel significantly less secure in their land tenure than men. This exclusion means that women's voices are absent from critical decisions regarding territorial delimitation, perpetuating gender inequality patterns in access to and control over land.

Indigenous peoples in Ucayali confront threats to their legal security that go beyond the

physical-legal regularization process. At the state level, corruption among regional officials poses the most worrisome threat, as titles are granted illegally in collusion with third parties. Ucayali is one of the Amazonian departments with more officials prosecuted for their involvement in land trafficking.

At the native community level, laws are sometimes instrumentalized for land appropriation; examples include the takeover of community boards to seize legal representation, formation of associations, and the use of the "donations" concept to negotiate parts of the territory with third parties. Furthermore, there are increasing conflicts between community members and fragmentation, fueled by third parties: companies occupying 7,000 hectares claimed by the native community of Santa Clara de Uchunya, settlers such as the Mennonites in Masisea —who deforested more than 800 hectares in Shipibo-Konibo community territories— and actors linked to illegal economies (ORAU & ProPurús, 2025).

Companies exert influence over state institutions to advance their interests over large tracts of land and, in some cases, they even finance titling processes for indigenous communities to later appropriate resources. Meanwhile, illegal economies operating in Ucayali invade indigenous territories, taking advantage of the region's vastness and remoteness from state institutions, as well as the economic needs of indigenous populations, who engage in their activities due to the lack of alternative income sources. These threats affect both titled and untitled communities, demonstrating that formal titling alone does not ensure effective territorial protection.

In this context, a perception of insecurity and distrust toward the State emerges, along with serious consequences in the lives of indigenous peoples, including loss of livelihoods, forced displacement, the expansion of violence linked to illegal economies, and gender-differentiated impacts that include sexual violence associated with extractive activities, human trafficking for sexual exploitation in mining areas, use of marriage alliances for land appropriation, and the overburdening of women who become in charge of the household and the defense of the territory when male defenders are murdered.

In addition, communities are also subject to multimillion fines —amounting to more than 51 million soles— derived from timber laundering by traffickers who use community forestry permits to legalize resources illegally extracted from other areas. Likewise, sociocultural transformations add to the problem: the manipulation of laws, the participation in and promotion of illegal activities, increased alcohol and drug use, and the loss of language and collective worldviews.

The Ucayali case demonstrates that the lack of territorial legal security is not merely an administrative deficiency, but a manifestation of asymmetric power relations that perpetuate the historical dispossession of the Amazon and its indigenous peoples. The convergence of weak legal frameworks, institutional corruption, extractive influences, and illegal economies has turned the region into a laboratory for all the threats faced by Amazonian indigenous peoples, underscoring the urgent need for comprehensive approaches that go beyond formal titling.

The third objective presents the situation of indigenous environmental defenders in Ucayali through representative cases and analyzes the implementation of the Intersectoral Mechanism for the Protection of Human Rights Defenders. In this region, indigenous environmental defenders experience critical levels of violence and vulnerability. Ucayali reports the most serious conditions, with 180 indigenous defenders at risk, according to ORAU and ProPurús (2025), compared to 93 cases officially recognized by the MINJUSDH, which reveals systematic underreporting. The 11 documented murders make Ucayali the region with the highest number of indigenous defenders killed in Peru, surpassing even mining regions such as Madre de Dios.

Human rights defenders are exposed to multiple types of threats, from verbal harassment and psychological violence to murder and criminalization through unfounded judicial proceedings. Female defenders also experience gender-specific violence, including sexual threats, delegitimization of their authority, and exclusion from decision-making. Particularly alarming is the use of baseless lawsuits to criminalize defenders, forcing them into long, exhausting legal processes that delegitimize their claims and defense of territories.

The Ucayali case points to systematic patterns of violence and impunity. The murder of four Asháninka leaders in Tamaya-Saweto in 2014 —Edwin Chota, Jorge Ríos, Leoncio Quinticima, and Francisco Pinedo—, the forced displacement of the Cametsari Quipatsi leader, the threats against women defenders in Sawawo Hito 40, and the kidnapping of a defender in Paucarcito demonstrate that risks persist in both titled and untitled communities. This reveals the intersection of illegal economies —logging, mining, drug trafficking— and institutional corruption, forming criminal networks that operate with impunity and exceed the State's operational capacity, as reflected in the absence of convictions for the murders of indigenous environmental defenders.

In 2021, the State created the Intersectoral Mechanism for the Protection of Human Rights Defenders; however, it presents serious deficiencies that limit its effectiveness. Among the main limitations are the following: the individual approach prevents extending protection to the entire community; there is a slow response to protection requests, as in the case of the Sawawo Hito 40 community: it took two years to receive a response, while, according to official data, the Mechanism's average response time ranges between 8 and 12 months —a period during which defenders remain unprotected and threats can easily escalate to murder—; the lack of budget and logistical capacity prevents the implementation of effective protection measures in remote Amazonian areas, where transportation and communication costs increase operating expenses and there is no adequate technology for monitoring and early warning; the Mechanism is reactive —rather than preventive— and there is no binding capacity on regional and local governments.

In response to state inaction, communities have developed self-protection strategies such as community patrols and early warning systems. While locally effective, these operate without institutional support, lack resources and technology, and cannot replace the State's obligation to ensure effective protection. As a result, defenders become exposed to multiple risks and threats as they strive to protect their territories and lives.

The analysis of the situation of indigenous defenders in Ucayali reveals that their vulnerability stems not from isolated threats, but from the convergence of lack of territorial legal security, institutional weakness, and illegal economies making territorial defense a high-risk activity. The ineffectiveness of the Intersectoral Mechanism for the Protection of Human Rights Defenders, contrasted with innovative community-based self-protection strategies, underscores the urgent need for differentiated approaches that recognize the collective dimension of territorial protection and strengthen indigenous organizational capacities from a human rights and environmental justice perspective.

In sum, the legal security of indigenous territories in the Peruvian Amazon experiences a structural crisis characterized by legal fragmentation, the subordination of territorial rights to technical classifications, institutional disarticulation, and the absence of a unified and transparent database. This crisis reflects the structural inequality that has marked the history of indigenous peoples in Peru, embedded in legal frameworks that favor private property and land concessions over indigenous collective rights, perpetuating an extractive model that prioritizes resource exploitation over ancestral territorial protection. Its most dramatic manifestation is found in regions such as Ucayali, where the massive expansion of illegal economies, systematic institutional corruption, and weak state presence have created extreme vulnerability, evidenced by 180 defenders at risk and 11 documented murders. This demonstrates that land titling, while fundamental, is insufficient to guarantee legal security or effective protection.

Despite this, indigenous peoples have shown extraordinary resilience, developing innovative self-protection strategies —including community patrols and early warning systems— rooted in ancestral knowledge and collective organizational practices. These responses not only safeguard territories and lives, but also call on the State to fulfill its responsibility to guarantee fundamental rights. Effective protection of indigenous territories and their defenders requires a paradigm shift that transcends technocratic approaches to address the structural dimensions of the problem. This implies recognizing the fundamental role of indigenous peoples as guardians of the Amazon and the implementation of comprehensive public policies that strengthen their organizational capacities, guarantee their participation in territorial decisions, and ensure decent living conditions.

Photo: Mathieu Laprise

Photo: Mathieu Laprise

1 INTRODUCTION

The Amazon faces serious threats due to the rampant extraction of natural resources, the expansion of the agricultural frontier, and the proliferation of illegal activities. Indigenous peoples are particularly vulnerable to these processes due to their lack of legal protection. By 2022, AIDESEP estimated that 20 million hectares of indigenous territory lacked legal recognition or property titles issued by the Peruvian state (DAR, ORAU & ProPurús, 2022).

In this context, Ucayali plays a key role due to the presence of legal and illegal economic drivers that threaten the territorial legal security of native communities and lead to forced displacement, loss of livelihoods and acts of violence against indigenous populations (UNODC & USAID, 2024). In response, Ucayali has been the focus of several titling projects, promoted by international organizations and the Peruvian government, aimed at granting land titles to native communities and thus prevent invasions and other territorial threats (Huamaní Mujica, 2021) .

Despite these efforts, illegal economies and agricultural activities have continued to expand throughout the region. This advance is linked to the unprecedented increase in the murders of indigenous leaders and environmental defenders in the Amazon since 2010, amid the expansion of activities such as illegal mining and logging, coca cultivation, and drug and land trafficking (Macedo, Tipula, & Ríos, 2022). In 2024, Global Witness declared Peru one of the most dangerous countries for environmental defenders in Latin America (Global Witness, 2024) .

Within its Environmental and Climate Justice framework, and through projects such as Climate Justice for More Equitable and Inclusive Societies in Latin America and Defending Territorial Rights, Ensuring the Protection of the Amazon, Oxfam seeks to contribute to greater climate justice for the populations and communities most affected by climate change in Latin America and the Caribbean, and to curb the indiscriminate expansion of agribusinesses that drive deforestation and violate human and territorial rights. This is achieved through the generation of evidence and advocacy actions to improve environmental and social policies linked to the sector.

Consequently, Oxfam commissioned a consultancy focused on researching existing inequalities and conflicts regarding the legal security of the lands and territories of indigenous peoples and native communities, as well as the situation of Peruvian Amazon defenders, specifically in the Ucayali region. This document constitutes the final report of such research.

RESEARCH **OBJECTIVES**

MAIN OBJECTIVE

To investigate inequalities and conflicts in the territorial legal security of indigenous peoples and native communities in the Peruvian Amazon, addressing their relationship with the risks faced by indigenous defenders, through a case study in the Ucayali region.

Photo: Mathieu Laprise

SPECIFIC OBJECTIVES

1. To collect, systematize, and evaluate specialized literature on land tenure among indigenous peoples in the Peruvian Amazon, including land titling and regularization policies and processes, focusing on the situation of native communities from a land inequality perspective.

2. To document and systematize the progress, challenges, and emerging conflicts related to indigenous land regularization processes, with an emphasis on land titling over the past five years, through a case study in the Ucayali region.

3. To analyze the relationship between the titling of indigenous territories and the risk and attacks against indigenous environmental defenders associated with the protection of territorial rights in the Ucayali region, incorporating a gender approach and identifying the main threats and corporate accountability.

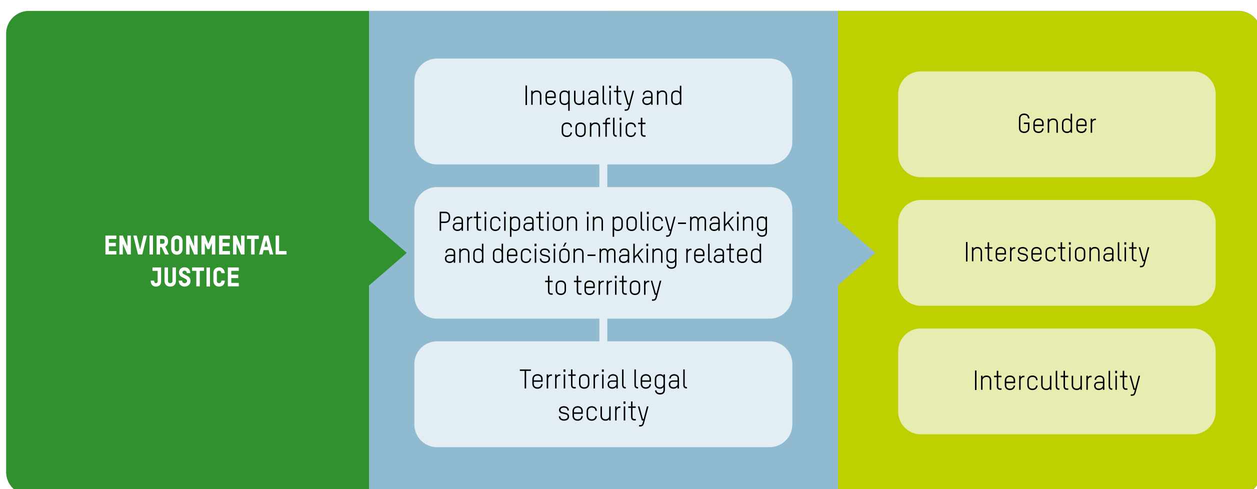
4. To generate evidence-based policy recommendations to promote indigenous land titling and regularization, aligned with preventive actions to reduce threats against indigenous defenders and strengthen protection mechanisms.

Photo: Mathieu Laprise

2 METHODOLOGICAL DESIGN

2.1
CONCEPTUAL FRAMEWORK

A conceptual framework grounded in environmental justice and land inequality is proposed to guide the design of instruments and the analysis of data. The environmental justice framework encompasses both the legal security of territories and the situation of environmental defenders. This is complemented by gender, intersectionality, and interculturality approaches.



ENVIRONMENTAL JUSTICE:

The concept of environmental justice links the environment with matters of race, class, gender, and social fairness within an explicit framework (Taylor, 2000). In this sense, it argues that social justice and the environment are inseparable, both conceptually and politically (Running-Grass, 1995) . This concept is based on the recognition of inequality in the spatial and social distribution of negative environmental impacts and positive implications derived from the application of environmental regulations and public policies. In this distribution, the most disadvantaged sectors are low socioeconomic groups and ethnic minorities, who bear the disproportionate burden of environmental harm (Arriaga Legarda & Pardo Buendía, 2011) due to the proximity of their places of residence to contaminated areas, the extraction of resources from their territories, and weak or insufficient legal frameworks for their protection.

The environmental justice movement seeks not only to ensure that all communities have equal protection from environmental risks affecting health and quality of life, but also to guarantee that every community can fully exercise their right to live in a safe environment, regardless of ethnicity or income level (Arriaga Legarda & Pardo Buendía, 2011) .

Two core aspects of environmental justice inform this research. First, the environmental justice movement extends the concept

of environment to include communities (Kameri-Mbote & Cullet, 1996). In other words, it intertwines the environmental and social dimensions by recognizing that ecosystems are composed not only of nature, but also of the social groups that inhabit, use, and transform them. This is particularly important in relation to indigenous peoples, whose collective land ownership and relationship with the territory —forests and rivers— represent both a source of livelihood and a fundamental part of their worldview and identity. Second, environmental justice is rooted in the recognition of inequalities and, consequently, explores ethnicity and gender to understand differentiated forms of participation, access to resources, and involvement in territorial decision-making from the perspective of indigenous peoples and women. One of the goals of this approach is to strengthen women's participation within the framework of gender equality (Martínez & Rosenfeld, 2005; Ramírez Guevara, Galindo Mendoza & Contreras Servín, 2015) .

INEQUALITY IN LAND OWNERSHIP AND ACCESS:

Inequality in land tenure and ownership affects approximately 2.5 billion people worldwide, primarily smallholder farmers. This issue underlies multiple forms of inequality related to wealth, power, gender, health, environment, democratic crises, climate change, and intergenerational justice. Since the 1980s, inequality has increased due to market-oriented policies that promote exports, corporate investment in agriculture, and weak legal frameworks that facilitate land concentration, resulting in a polarization between large landholders and smallholder farmers (ILC & Oxfam, 2020).

The consequences of this inequality are multidimensional and include rising unemployment, contribution to climate change through the expansion of monocultures and deforestation, declining food production, displacement of populations (especially indigenous and peasant farmers), loss of biodiversity, growing pressure on limited resources, and forced migration. In addition, land control does not always require legal ownership and can take subtle forms, such as agricultural contracts that incorporate land into global supply chains, perpetuating extractivist models and hindering the establishment of legal protection mechanisms. Inequality in access to land and other critical resources disproportionately affects women, rural youth, and indigenous groups, limiting their collective rights and reducing opportunities for future generations (ILC & Oxfam, 2020).

TERRITORIAL LEGAL SECURITY:

In this context of inequalities embedded in land distribution and ethnic, socioeconomic, and gender factors, territorial legal security emerges as a necessary mechanism for protecting vulnerable groups and encouraging their participation in decision-making regarding their territories.

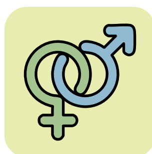
Originating in the Declaration of the Rights of Man and of the Citizen, legal security has been recognized as a natural human right, linking its application to the liberal rule-of-law state and underlining its importance in ensuring compliance with legal norms (Villegas, 1994). This strengthens public trust in the legal system and its institutions, ensuring that rights and obligations are protected within a reliable legal framework (Villegas, 1994). The principle of legal security is generally enshrined in a state's constitution and is associated with other constitutional regulations and laws (Rivera Cervantes, 2018).

While legal security has traditionally been conceptualized as a fundamental principle protecting individual rights within the rule of law, its enforcement in the context of indigenous peoples and their territories requires a broader understanding (Rocca Galarza & Pauccar Meza, 2016). Indigenous peoples predate nation-states and possess social and spatial configurations distinct from Western conceptions of individual property and extractivist economies. In contrast, territory is part of the indigenous worldview and goes beyond a matter of ownership and production potential.

This close relationship between culture, identity and territory is exemplified in the case of the Mayagna (Sumo) Awas Tingni community versus Nicaragua, whose 2001 judgment includes the following argument:

> Among indigenous peoples, there exists a community-based tradition of collective land ownership, in the sense that posession is not centered on an individual but rather on the group and its community. Indigenous peoples, by virtue of their very existence, have the right to live freely within their own territories. The close relationship that indigenous people maintain with the land must be recognized and understood as the fundamental basis of their cultures, spiritual life, integrity, and economic survival. To indigenous communities, the relationship with the land is not merely a matter of possession and production but a material and spiritual element that they must be able to fully control in order to preserve and transmit their cultural legacy to future generations. (IACHR, 2001, p. 78).

Given the ongoing threats to the territory and sovereignty of indigenous peoples, territorial legal security becomes essential. It protects and guarantees the right to space and appropriate conditions for the continuation of traditions and development on their own (social and cultural) terms, as well as the conservation and sustainable use of natural resources.

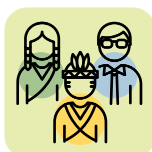


GENDER APPROACH:

The gender approach helps understand how society establishes different expectations and roles based on a binary scheme —male and female— which determines people's opportunities and limitations in everyday life: work, education and other aspects of social life (Butler, 2005; Scott, 1990). This sociohistorical categorization reflects how individuals express themselves and relate to each other in specific contexts, evidencing how sexual differences translate into socially constructed roles and social inequalities that mostly affect women (Zambrano, 2002). Among indigenous peoples, the gender approach is key to understanding the roles of women within communities, and how these roles influence their participation in decision-making concerning their territories.

INTERSECTIONAL APPROACH:

The intersectionality approach considers the interaction between various factors that determine a person's vulnerability (MIMP, 2016). Social vulnerability serves as a theoretical instrument that connects the conditions of inequality and social discrimination, taking into account resource distribution and social positioning, and identifying individuals or groups in disadvantaged positions to exercise their rights (Yon, 2014). This approach allows us to observe how multiple factors intersect to generate situations of vulnerability (Palacios Rojo, 2019; Stern, 2004). In this case, it helps us understand the situation of indigenous peoples and environmental defenders regarding land ownership and the defense of fundamental rights, since they are stakeholders whose vulnerability is intersectional, encompassing ethnic, socioeconomic, political, geographic and other dimensions.



INTERCULTURALITY APPROACH:

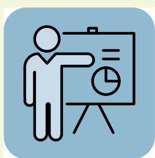
Interculturality is defined as the recognition and respect for cultural differences, based on the principle that all cultures are equally valid, without hierarchies of superiority or inferiority (Walsh, 2007). The interculturality approach is a perspective that recognizes and values cultural diversity, promoting respectful dialogue and equitable exchange between individuals, communities, and peoples with different customs, values, traditions, and lifestyles (Dietz, 2016). This approach seeks to overcome the relationships of discrimination and exclusion that have historically existed between different cultures (Walsh, 2007). Unlike mere tolerance or coexistence, the interculturality approach proposes an active and positive interaction between cultures, recognizing that each has valuable contributions to make to society. This implies developing policies and practices that not only respect cultural diversity, but also promote mutual learning, build horizontal relationships, and eliminate inequalities rooted in cultural differences.

2.2
DATA COLLECTION METHODS

To meet the research objectives, qualitative data collection methods were used, including a rigorous literature review, 29 interviews with key informants, and two data validation workshops.

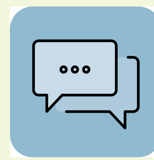
Literature review

A comprehensive review of documents and secondary literature was conducted, including academic studies, legal frameworks, legal documents, newspaper articles, databases, potential case studies, governmental reports, and international public policies for indigenous defenders. The bibliographic review helped define the methodological design and triangulate the information gathered through the interviews.



Data validation workshops

Once data collection was completed, two participatory validation workshops were held to present and verify the preliminary research findings and to evaluate, discuss, and propose public policy recommendations. The first workshop was conducted with two specialists —a lawyer and a journalist— who work with indigenous populations in Ucayali. The second workshop was carried out with members of civil society and indigenous organizations. Notes from these workshops are included in Annex 2 of this document.



Interviews with key informants

29 semi-structured interviews were conducted with key informants, as detailed in Table 1. The interviews were carried out both in person and virtually. The interview guides are found in Annex 1 of this document.

Table 1: Sample of interviews with key informants

Actor	Amount
Male and female members of the San Francisco de Yarinacocha native community	5
Male and female members of the Chachibai native community	5
Male and female leaders of Ucayali native communities	3
Civil society: DAR, AIDER, IBC	3
State institutions: DRAU, GERFOR, FEMA, Human Rights and Interculturality Prosecutor's Office, SUNARP	7
Specialists: land tenure specialists, indigenous peoples' rights lawyers	3
Indigenous organizations: ORAU, CONAP, URPIA	3
Total	**29**

Photo: Mathieu Laprise

Photo: Mathieu Laprise

RESULTS

3.1 SITUATION OF LAND TENURE AMONG INDIGENOUS PEOPLES IN THE PERUVIAN AMAZON

This section analyzes the land tenure situation of indigenous peoples in the Peruvian Amazon. It begins with a description of the various land tenure regimes and their current application. It then examines the legal mechanisms designed to guarantee the legal security of indigenous territories, with emphasis on recognition and titling processes. Finally, it reviews the existing legal framework, its evolution, and the main legal barriers that hinder effective access to land and territory by native communities.

The following table summarizes the main regulations that will be analyzed throughout this document. Annex 5 contains detailed national and international standards.

TABLE 2: National and international laws, regulations and standards on indigenous people and titling

National legal framework	
Decree Law No. 20653, Act on Native Communities and Agricultural and Livestock Promotion in the Rainforest and Upper Rainforest Regions.	1974
Act No. 22175, Act on Native Communities and Agrarian Development of the Rainforest and Upper Rainforest Regions.	1978
Legislative Resolution No. 26253, approving ILO Convention 169 on indigenous and Tribal Peoples in Independent Countries.	1993
Act No. 28736, Act for the Protection of Indigenous or Native Peoples in Isolation and Initial Contact Situations.	2006
Act No. 29763, Forestry and Wildlife Act.	2011
Act No. 29785, Act on the Right to Prior Consultation of Indigenous or Native Peoples, as recognized in ILO Convention 169.	2011
Ministerial Resolution No. 0362-2018-MINAGRI - Article 2 Creation of the Cadastral System for Peasant and Native Communities - SIC Communities.	2018
Ministerial Resolution No. 0368-2018-MINAGRI, which approves the Guidelines for the Execution of the Procedure for Resizing Permanent Production Forests.	2018
Ministerial Resolution No. 0443-2019-MINAGRI, which approves the Guidelines for the Demarcation of Territories of Native Communities.	2019
Supreme Decree No. 004-2021-JUS, which creates the Intersectoral Mechanism for the Protection of Human Rights Defenders.	2021
Supreme Decree No. 005-2022-MIDAGRI, which approves the Regulations for Land Classification by Highest Use Capacity.	2022
Ministerial Resolution No. 0142-2023-MIDAGRI, which implements the mandatory use of the Cadastral Information System for Communities.	2023
Act No. 31973, which amends Act 29763, the Forestry and Wildlife Act, and approves complementary provisions aimed at promoting forest zoning.	2024

International legal framework	
International Labour Organization (ILO) Convention 169 on Indigenous and Tribal Peoples in Independent Countries, ratified by the Peruvian state through Legislative Resolution No. 26253.	1989
United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).	2007
American Declaration on the Rights of Indigenous Peoples.	2016
Escazú Agreement, Regional Agreement on Access to Information, Public Participation, and Access to Justice in Environmental Matters in Latin America and the Caribbean.	2018

3.1.1 LAND TENURE REGIMES AND THEIR CURRENT SITUATION

In Peru, land tenure encompasses a diversity of legal and de facto regimes reflecting the country's historical, regulatory, geographic, and territorial complexity. Among the most important regimes is titled communal property, which applies to both peasant communities and native communities legally recognized as legal persons. These communities can obtain collective property titles to lands suitable for agricultural or livestock use under a special regime that declares their territories inalienable, imprescriptible, and unseizable (Decree Law No. 22175, 1978; Political Constitution of Peru, 1993; Peña Jumpa, 2012). Currently, according to the Indigenous Populations Database (BDPI), there are 1,559 titled native communities and 4,299 titled peasant communities in Peru (Ministry of Culture, 2025).

However, communal property is limited by land use classification, since lands with forestry suitability cannot be titled as communal property, especially in regions such as the Amazon (Ruiz Molleda & Gavancho León, 2022). In these cases, the forest land use concession regime applies, established under the Forestry and Wildlife Act (Act No. 29763, 2011). Through this mechanism, the State retains ownership of forest territories but may grant communities collective use rights over areas such as Permanent Production Forests (BPP), subject to technical requirements such as georeferenced maps and forest management plans (SERFOR, 2024). However, experts interviewed for the study argue[1] that, given the limited capacity of indigenous communities to meet such management requirements, these areas often end up being exploited by third parties who violate regulations and pass on liabilities (debts and fines) to native communities (Carrere, 2022; Montaño, 2022). Although the land use concession mechanism provides some legal access to the forest, it does not grant full ownership, which generates uncertainty about permanence and territorial control.

In 2018, Guidelines for the Resizing of BPPs were approved through Ministerial Resolution No. 0368-2018-MINAGRI. This mechanism applies to territories that have been classified as BPPs but were previously recognized as peasant community lands, private properties, or territories with another recognized use. In the case of native communities, lands initially classified as BPPs becomes communal territory. The limitations of the resizing process, carried out by SERFOR, will be described in Section 3.2 of the report.

Along with these collective regimes, individual titled property also exists, mostly pertaining to smallholder farmers across various regions of the country. This form of tenure allows individuals to obtain property titles, mainly over agricultural or uncultivated land. However, more than once, these titles have been granted without considering the presence or rights of pre-existing communities, leading to conflicts as a result of overlaps and dispossession (Common Good Institute (IBC), 2016).

Another particularly important regime is associated with Protected Natural Areas (ANP), which are public lands subject to use restrictions. Many communities, both peasant and Native, live within or adjacent to these areas without their territorial rights being fully recognized. Peru has 10 categories of ANPs (national parks, national reserves, national sanctuaries, historical sanctuaries, landscape reserves, wildlife refuges, communal reserves, protective forests, hunting reserves, and reserved areas), administered by SERNANP. In addition to these, there are Regional Conservation Areas (ACR), managed by regional governments, and Private Conservation Areas (ACP), promoted by non-state actors. According to SERNANP data, there are currently 251 ANPs in Peru (SERNANP, 2025) .

Informal or untitled land occupation is also common in many parts of the country, both in rural and peri-urban areas. Communities, settlers, or farmers occupy lands without legal recognition, which exposes them to vulnerability, exclusion from public policies, and conflicts due to overlapping with formal titles or concessions (Monterroso et al., 2019; Monterroso & Larson, 2018). Furthermore, the informality of these occupations results in the absence of records and legibility by the State.

[1] Arguments gathered from interviews with civil society experts: two lawyers, one sociologist, and one project leader for land titling in the Amazon.

There are also special territorial management regimes, such as territorial or indigenous reserves, established to protect indigenous peoples in isolation and initial contact situation. Both regimes offer the same level of protection; the distinction lies in the fact that territorial reserves were created within the framework of the Native Communities Act, while indigenous reserves are recognized under Act No. 28736 (PIACI Act). Peru currently has six indigenous reserves and two territorial reserves, which occupy a total of 3.6% of the national territory. There are also five pending requests for the creation of indigenous reserves in Loreto and Ucayali, representing 2.4% of the national territory (Ministry of Culture, 2024). Although these entities do not confer property or real rights, they represent state recognition of collective rights and aim to ensure the intangibility of territories traditionally occupied by native communities. Therefore, they must be considered when analyzing the set of land tenure regimes in Peru, especially since they cover extensive areas inhabited by indigenous peoples and are subject to strict restrictions on entry and use by third parties (AIDESEP, 2023).

The State also grants concessions over public lands for extractive or economic activities, including:

- **Mining concessions,** which grant exploration and exploitation rights. According to the Geological, Mining and Metallurgic Institute (INGEMMET) data, there were 37,408 active mining concessions in 2024, of which 1,220 (3.2%) were operational at the time (Martel, 2024).

- **Hydrocarbon license or service contracts,** regulated by Act No. 26221 (Organic Hydrocarbons Act), by which specific lots are assigned to private companies without transferring land ownership. PeruPetro's cadastral information shows the existence of 32 lots with exploration or exploitation contracts granted by this organization (PeruPetro, 2025).

- **Forest concessions,** which are granted by SERFOR and regional governments for the sustainable use of forest and wildlife resources in specific areas. These concessions aim to promote the responsible use of forests, ensuring their conservation and the maintenance of their ecological functions. They include concessions for timber and non-timber products, ecotourism, conservation, wildlife management, and forest plantations (MINAGRI & SERFOR, 2017). SERFOR data show that, as of 2017, forest concessions occupied 7% of the national territory (5% of timber concessions and 2% of non-timber concessions) (MINAGRI & SERFOR, 2017).

Although these concessions do not grant ownership, in practice they often prevail over the claims of untitled communities, and such overlap represents one of the main barriers to territorial legal security (Monterroso & Larson, 2018).

Finally, regardless of the land tenure regime, there are forest management units, which are technical-administrative categories defined by the Forestry and Wildlife Act (Act No. 29763) to organize the use of the national forest territory. Established by SERFOR in coordination with regional and local governments, these units do not grant ownership, but they regulate the planning of public forest use and are related to the issuance of titles, contracts, or permits for the use of resources. According to Act No. 29763, the six forest management units are permanent production forests, local forests, reserve forests, protective forests, forests on peasant and native community lands, and forests on private lands.

It should be noted that it is particularly difficult to consolidate information on the current land tenure situation in Peru due to the absence of a unified and integrated national cadastral database. Existing databases are scattered across various public entities —regional governments, ministries, and technical agencies— and face numerous problems: obsolescence, restricted access, or poorly functioning online interfaces. Additionally, official databases are often contradictory, showing inconsistent data and/or cases of overlap or dual ownership/possession (ORAU & ProPurús, 2025). This situation severely limits access to reliable, timely, and complete information on land tenure, use, and management. In some cases, it further distorts existing data. This problem and its relationship to the legal security of indigenous communities will be explored in Objective 2.

Titling of native communities and collective ownership with other forms of territorial rights recognition

In Peru, the titling of native communities faces significantly greater obstacles than other legal mechanisms for accessing land, such as the granting of concessions to private entities or the titling of individual plots. For (mining, forestry, or hydrocarbon) concessions, the process is streamlined, standardized, and supported by a state apparatus geared toward promoting investment. These concessions are sometimes even granted over disputed or untitled territories, without effective prior consultation, and often without mechanisms to resolve conflicts with preexisting communities (Gudynas, 2018).
By contrast, titling of communities requires lengthy and technically complex processes with multiple stages, including legal recognition of the community, georeferencing of its territory, soil evaluation, communal validation, and the management of land use concession contracts for forest areas. These tasks fall on regional governments, which consistently lack resources, technical capacity or political will (Monterroso et al., 2019; Ombudsman's Office, 2018).

The situation is radically different in the case of individual land titling. Individual formalization processes —historically promoted by the Special Project for Land Titling and Rural Cadastre (PETT), the Organization for the Formalization of Informal Property (COFOPRI), and programs such as the Rural Land Cadastre, Titling, and Registration Project in Peru (PTRT)— have received more institutional and financial support. They are designed to consolidate a parcel-based model of private property compatible with the land market and agrarian policies. Individual titling typically requires only a possession statement and a map, while communal titling involves a series of stricter administrative and technical requirements and faces weak institutional coordination (Monterroso et al., 2017).

In many cases, the territories claimed by communities are already divided into individual plots or awarded to third parties, leading to conflicts due to the overlapping and fragmentation of ancestral lands. For private concessions and plot allocation, the State acts as an active facilitator, while in the case of communal titling, its role is passive, bureaucratic, and uncoordinated. This asymmetry in institutional action reflects a power structure that continues to prioritize investment and individual access to land over the full recognition of the collective rights of indigenous peoples (Monterroso et al., 2017).

3.1.2 MECHANISMS FOR THE PROTECTION OF THE LEGAL SECURITY OF INDIGENOUS TERRITORIES IN THE AMAZON

Recognition and titling of native communities

The recognition and titling of native communities in Peru is a legal and technical procedure by which the State acknowledges them as subjects with collective rights and formalizes their historical and territorial ties to the lands they have ancestrally occupied.

A. RECOGNITION

Recognition is the first administrative act through which a native community is granted legal personality. By this act, the community is registered in SUNARP's Registry of Legal Entities, allowing it to exercise legal rights, record agreements adopted in assemblies, and proceed with the necessary steps toward obtaining title to its territory (SUNARP, 2018). The main objective of this stage is to establish the community's legal existence, enabling it to act as a legitimate stakeholder before the State and other public and private entities.

This process involves several entities. At the national level, the Ministry of Agrarian Development and Irrigation (MIDAGRI), through the General Directorate of Agrarian Property Regularization and Rural Cadastre (DIGESPACR), is responsible for establishing technical guidelines, standards, and policies. At the regional level, regional governments (GORE), through the Regional Agriculture Directorates (DRA) or the Agrarian Agencies, implement the process in the field. The community itself, through its representatives or with the support of indigenous organizations, plays a leading role throughout the entire process (Monterroso et al., 2019; AIDESEP et al., 2021).

To be formally recognized, a community must meet certain requirements, including the submission of a formal application, a reference map of the territory, a population census, communal bylaws, socioeconomic reports, and communal assembly minutes (Monterroso et al., 2019; AIDESEP et al., 2021) . In addition, the criteria established in ILO Convention 169 are evaluated, which recognizes both objective characteristics (such as historical continuity, ties to the territory, and specific forms of social and cultural organization) and the subjective dimension of self-identification as an indigenous people, considered a key element in the definition of a native community (Monterroso et al., 2019).

Annex 2 presents the step-by-step process of recognizing a native community (modified from Saweto DGM: Report - AIDESEP et al., 2021; MIDAGRI, 2016; Monterroso et. al., 2019)

B. TITLING

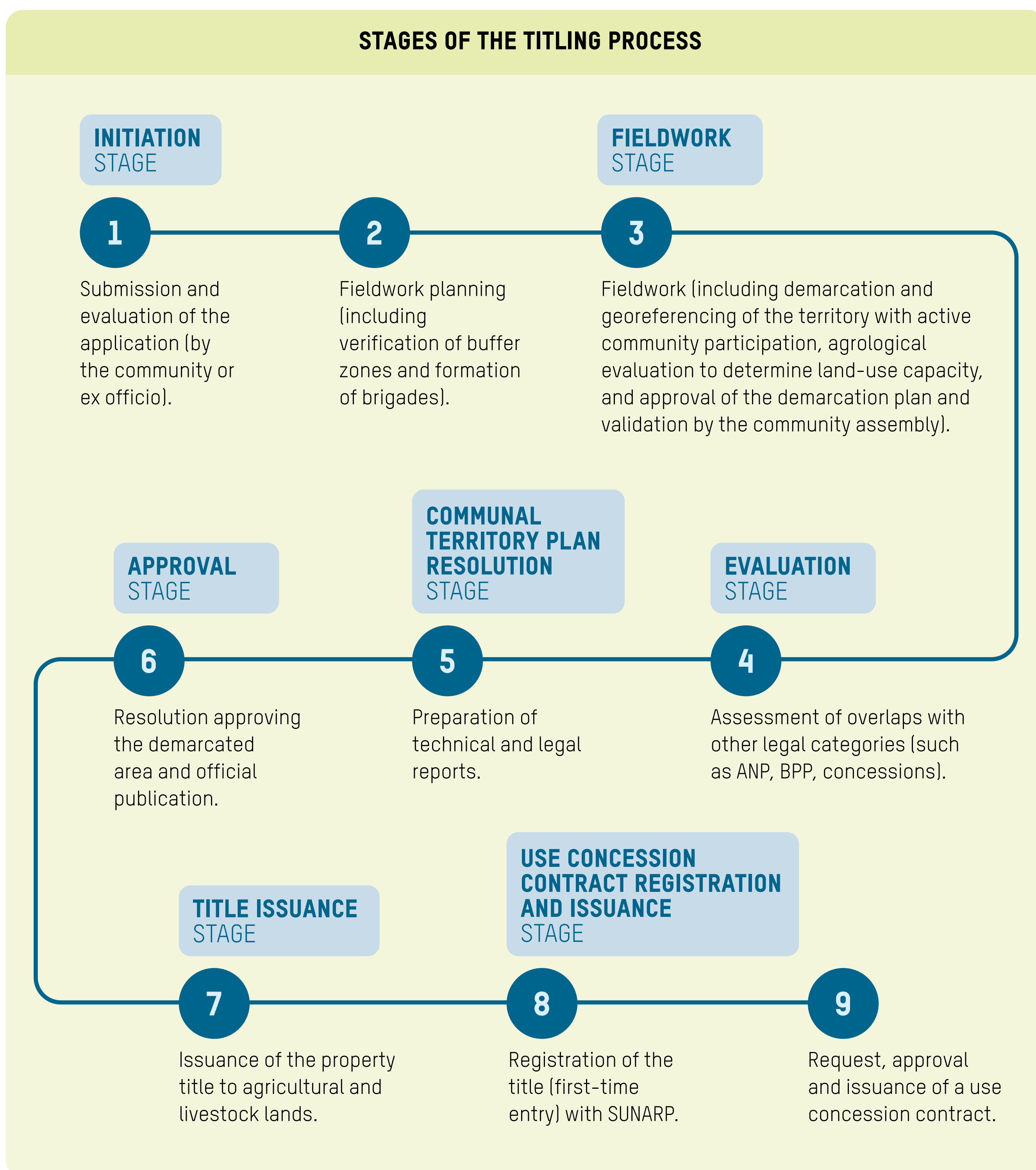
Once the community has been formally recognized, it may initiate the land titling process, the objective of which, in theory, is to ensure legal security of its territory. Titling formalizes the relationship between the community and its communal territory, providing protection against third parties, access to public programs, and the full exercise of collective rights. According to regulations, the titling process should take between 120 and 180 days (Monterroso & Larson, 2018; SUNARP, 2014).

This process is also led by regional governments (GORE) through DRAs, with technical oversight from the MIDAGRI and the participation of specialized entities such as the Regional Forestry and Wildlife Authority (ARFFS) when forest lands are involved. The community actively participates as stakeholder at all stages of the process (Monterroso et al., 2019; AIDESEP et al., 2021).

Before initiating the titling process, the community must be legally recognized and registered with both the Regional and National Directories of Native Communities, and have its recognition resolution registered with SUNARP. It must also submit a reference map of the territory to be formalized, a population census, a certified copy of the land registry entry, and other documents that support

its territorial claim (SUNARP, 2014; Monterroso et al., 2019). In principle, the State is responsible for covering the costs of these procedures as part of its duty to guarantee the territorial rights of indigenous peoples. However, in practice, these expenses are often borne by the native community (Tuesta, IBC, 2022). Objective 2 discusses the limitations of the titling process in Ucayali.

The titling process unfolds in the following stages (SUNARP, 2014; MIDAGRI, 2016; Monterroso et al., 2019; AIDESEP et al., 2021):



Annex 3 illustrates the different stages and steps involved in the titling process for native communities (AIDESEP et al., 2021; Monterroso et al., 2019; MIDAGRI, 2016; SUNARP, 2014). As shown, the final stage of the process is registration with SUNARP, which consists of registering the community's property title for the first time. This legal act creates a single registry entry for the communal territory, thereby consolidating the community's legal rights over the land (SUNARP, 2014). To register the title with SUNARP, the following documents are required[2]: the resolution approving the demarcation of the communal territory, the property title issued by the DRA, the demarcation plan and descriptive report endorsed by the competent authority, the results of the agrological evaluation (defining agricultural, forestry and protection areas), and, if applicable, the use concession contract issued by the ARFFS (Monterroso et al., 2019). In theory, registration with SUNARP provides ultimate legal security, protects the community against invasions, enables the management of natural resources, and facilitates access to public programs and development funds. In addition, it consolidates the community's legitimacy before the State and other actors in the territory, serving as an essential tool for the defense of the territory and cultural identity of indigenous peoples in Peru.

Request for use concession or resizing of BPPs

One of the most delicate stages of the titling process is the evaluation of overlapping land claims. Many communities encounter conflicts when their territories overlap with Protected Natural Areas (ANP), private lands, mining or forest concessions, or landowners' associations (AIDESEP et al., 2021). As mentioned above, in the case of Permanent Production Forests (BPP), the lands cannot be titled as communal property, as they are owned by the State. However, during the titling process, communities may request a forest use concession contract or the resizing of BPPs, as appropriate.

The use concession process begins once the DRA's technical team has completed the agrological assessment, identifying which portions of the land cannot be titled. It is the DRA itself —not the community— that must submit the complete file to the ARFFS, requesting the corresponding use concession. This contract must include a detailed plan of the area, technical reports, a descriptive report, and legal support for the case. The ARFFS subsequently issues the use concession contract with specific clauses on how the community may manage these spaces, including exploitation restrictions and rights. Once this contract is formalized, the community may, if it so chooses, request permits for the exploitation of timber or non-timber resources. These permits are managed in separate processes, although they are conditional on the existence of the use concession contract (AIDESEP et al., 2021; Monterroso et al., 2019).

2 According to legal guidelines, the community titling process must be covered by the State. Regional governments, through the Regional Agriculture Directorate (DRA), are required to carry out processes such as land classification and georeferencing, but due to severe resource and personnel limitations, they fail to do so in practice.

3.1.3
LEGAL FRAMEWORK FOR THE PROTECTION OF THE LEGAL SECURITY OF INDIGENOUS TERRITORIES IN THE AMAZON

Regulatory evolution in the titling of native communities in Peru

Peru is a diverse country that is home to 55 indigenous communities (BDPI, 2025), which have been classified and institutionalized as peasant and native communities through historical, political, and legal processes. These categories recognize the legal personality of groups of families and/or family clans that identify themselves as peasant or native communities.

The Peruvian state first recognized indigenous communities in 1920, without any distinction between ethnicities or consideration of the diverse historical, social, and cultural processes of each people. It simply constructed the designation of the "other" under the concept of indigenous communities (Burneo, 2025). Several decades later, the 1993 Peruvian Political Constitution defined peasant and native communities as legal persons that "are autonomous in their organization, communal work, the use and free management of their lands, and economic and administrative aspects, within the framework established by law" (Article 89).

Regarding peasant communities, Decree Law No. 24656, General Act of Peasant Communities (1987) described them as "autonomous organizations of customary law composed of families that inhabit and control a defined territory, united by ancestral, social and economic ties".

According to data gathered by the Information System on Peasant Communities of Peru (SICCAM) as of 2019, there were more than 7,200 peasant communities distributed across the coastal, Andean, and Amazonian regions of Peru. Approximately 6,300 of these communities have obtained official recognition, while around 5,300 have formal land titling, covering almost 25 million hectares —equivalent to one-fifth of Peru's territory— across 23 departments. Considering both titled areas and those pending titling, these communities represent more than a quarter (26.5%) of Peru's total territory (IBC, n.d.).

Academia defines peasant communities as long-standing institutions of rural society with distinct social forms of territorial management, as well as territorial actors with their own political, economic, and cultural practices (Urrutia, Remy, & Burneo, 2019). They are institutions in constant transformation that must be examined through the lenses of power relations, rural political economy, and social change (Diez, 2012). Currently, peasant communities vary in size, organization, market connection, political structure, and economic activities, and many display hybrid forms of communal and individual territorial management, which have led to the reconfiguration of authority (Urrutia, Remy & Burneo, 2019). According to the authors, the core characteristics of peasant communities are collective ownership of the territory and collective decision-making regarding communal territory.

As for native communities, Act No. 22175, Act of Native Communities and Agrarian Development of the Rainforest and Upper Rainforest Regions (1978), describes them as "groups of tribal origin who live associatively and permanently on their lands, linked by cultural, social, and economic ties." In international and academic literature, native communities are associated with indigenous peoples within the framework of ILO Convention 169. In Peru, legal recognition of indigenous societies by the State has been criticized. The legal category of native community is restrictive, because, under administrative and agrarian criteria, reduces indigenous identity to an organizational form defined only in terms of communal property, silencing claims for self-determination and territoriality (Urrutia, Remy & Burneo, 2019). State legal frameworks standardize and simplify indigenous peoples under the legal personality of native communities, without accounting for their complexity in terms of political systems, justice, worldview and relationship with the territory (Salas, 2022).

In sum, the State has adopted a homogenizing approach to the more than 50 indigenous peoples

living in the Peruvian Amazon. The legal categories of peasant community and native community share similarities, such as the political structure —president, vice president, and members— and territorial rights, despite bringing together a wide variety of peoples. They represent the State's attempt to create subjects of rights, which is the first step toward determining who is eligible for territorial recognition and titling.

The recognition and titling of native communities in Peru have been shaped by various regulations over the decades. Monterroso et al. (2017) describe this process over the last half-century in three stages: a period of initial organization and rights (1969 to 1979), a period of political and economic upheaval and impact of neoliberal reforms (1980 and 2009), and a period of ongoing efforts to secure territorial rights through new laws and initiatives (2009 onward). The main regulations that have influenced the recognition and titling process are detailed below. A detailed timeline of the regulations related to titling can be found in Annex 5.

The first law that granted territorial rights to native communities was Supreme Decree No. 03 of 1957, which conferred use rights to forest dwellers (Chirif & García Hierro, 2007). Between 1969 and 1979, the Peruvian state laid the legal foundations for the recognition of native communities as subjects of collective rights, beginning with Decree Law No. 20653, Act on Native Communities and Agricultural and Livestock Promotion in the Rainforest and Upper Rainforest Regions (1974), the first to legally recognize Amazonian native communities as legal persons and collective subjects of rights over their territory. This recognition was fundamental, as it allowed them to act legally before the State, obtain land titles, access state development and production programs, and exercise organizational autonomy, especially through the communal assembly and the board of directors (Monterroso et al., 2017) .

Later, Decree Law No. 22175, Act on Native Communities and Agrarian Development of the Rainforest and Upper Rainforest Regions (1978) replaced the 1974 Decree, and marked a shift in the State's approach towards Amazonian indigenous peoples. However, it also introduced restrictions that limited communal property to lands for agricultural and livestock use, and created the concept of use concession for lands suitable for forestry (Monterroso et al., 2017). Only lands deemed suitable for agricultural use could be titled, while forest lands remained subject to use concession contracts[3]. This distinction, which is still in force, fragments indigenous territories and weakens their legal security and comprehensive control over ancestral spaces (Monterroso et al., 2017).

During this period, titling processes were not clear, and the areas recognized were often small, opening the way for colonization. Still, this period was key in consolidating territorial rights: 1.5 million hectares were titled to 331 communities, including former reserves, and the organization of the indigenous movement gained strength with the creation of the Interethnic Association for the Development of the Peruvian Rainforest (AIDESEP) (Monterroso et al., 2017).

Between 1980 and 2009, Peru experienced a period of political and economic instability, which coincided with the consolidation of the neoliberal economic model. Under President Alberto Fujimori, structural reforms transformed the role of the State, from a guarantor of rights to a market facilitator (Monterroso et al., 2017). In this context, collective rights over land and natural resources were weakened by a series of policies and regulations that favored the expansion of private investment in ancestral territories. A turning point was Legislative Decree No. 757, the Framework Law for the Growth of Private Investment (1991), which established a general framework for the promotion of domestic and foreign investment. This regulation was consolidated by the 1993 Constitution, which, while maintaining the recognition of communal property and its inalienability, does so within a framework that prioritizes legal security for private investment and fails to ensure real protection of the indigenous peoples' right to integral territory. From then on, native communities have been able to manage their lands, which means they can donate, sell, and/or rent them.

3 In the Amazon, there are also hydrocarbon concessions—regulated by a separate set of laws—and conflicts surrounding them. Lot 192 in Loreto is representative of this situation. In 2015, the State conducted a prior consultation process with the affected communities, concluding that "the areas containing the wells, batteries, access roads, camps, pipelines, storage-treatment and transfer zones, and other production facilities are located, in part, in Indigenous peoples' territories and could occupy larger areas" (Ministry of Energy and Mines, 2015). These areas were a primary concern, and agreements were established, but they were not fulfilled as of 2023 (PUINAMUDT, 2022).

This legal and political approach consolidated a vision that further legitimized agricultural, extractive, or commercial land use over ancestral communal use, and reinforced the perception that indigenous peoples should not own extensive territories. It encouraged the parceling of communal lands, especially in the Andes, and prioritized individual land titling over collective titling. In parallel, numerous extractive concessions were granted without prior consultation (Gudynas, 2018). Although ILO Convention 169 was ratified in 1993 —introducing the principles of self-identification, prior consultation, and respect for territorial rights— and an IDB-financed titling effort began in 1995, it was not until the third phase of the project (PTRT3) that the titling of native communities was formally prioritized (Monterroso et al., 2017). Despite regulatory progress, serious bureaucratic, technical, and political barriers persisted, especially regarding forest land use concession, which requires costly management plans (Monterroso et al., 2017). By 2000, communal land titling had slowed considerably.

During Alan García's second administration, legislative decrees facilitated investors' access to forest lands. Indigenous protests culminated in the Bagua conflict in 2009, which led to the repeal of several decrees and the State's commitment to implement the right to prior consultation (Monterroso et al., 2017). In this context, Act No. 28736, Act for the Protection of Indigenous Peoples in Isolation and Initial Contact Situation, enacted in 2006, gained relevance. It established the legal regime of indigenous reserves for peoples in isolation and initial contact situation, under the precautionary principle and with highly restricted access for third parties.

From 2009 to 2019, indigenous rights gained further recognition. In 2011, Act No. 29785 established mandatory prior consultation for measures that could affect collective rights[4]. Other regulations included the Forestry and Wildlife Act No. 29763 (2011), and ministerial resolutions aimed at standardizing technical procedures for the physical-legal regularization of communal territory, such as the creation of the cadastral system for peasant and native communities (Ministerial Resolution No. 0362-2018-MINAGRI), the approval of the BPP resizing procedure (Ministerial Resolution No. 0368-2018-MINAGRI), and the approval of the guidelines that replace the use of soil analysis with an agrological evaluation of native community lands for land use classification (Ministerial Resolution No. 0194-2017-MINAGRI) (Monterroso et al., 2017). However, the implementation of these regulations has been slow and fragmented (Ombudsman's Office, 2018). Meanwhile, global efforts to combat climate change began incorporating indigenous organizations and promoting communal land titling as conservation strategies[5]. By the mid-2010s, several indigenous community titling programs were underway in the Peruvian Amazon.

Since 2019, titling processes for native communities have continued to strengthen institutional and technical consolidation. Recent regulations have focused on issuing provisions that refine the physical-legal regularization of communal territory, such as the standardization of georeferencing (Ministerial Resolution No. 0142-2023-MIDAGRI), the approval of the regulations for land classification by highest-use capacity (Supreme Decree No. 005-2022-MIDAGRI), and the inclusion of technical and procedural clarifications for the guidelines for the demarcation of native community territories (Ministerial Resolution No. 0443-2019-MINAGRI). However, the approval of Act No. 31973 in 2024 meant a regulatory setback, weakening forest zoning and transferring powers from the Ministry of Environment (MINAM) to the Ministry of Agrarian Development and Irrigation (MIDAGRI), which generated concern among indigenous organizations and international agencies (Peruvian

4 The Regulations of the Prior Consultation Act set forth that the Ministry of Culture, through the Vice Ministry of Interculturality (VMI) —a technical body specializing in Indigenous matters—, must coordinate and articulate the state policy for the implementation of this right by public institutions. It also assigns responsibility to regional governments, as a level of local government, in consultation processes (Ministry of Culture, 2015). Despite the existence of this regulation, conflicts within peasant and Native communities deriving from extractive and agricultural activities abound and are often supported by laws that favor third-party occupation and individual land tenure. Act No. 32293, approved on April 8, 2025, is the most recent example of legal mechanisms enabling the dispossession of land from peasant communities (Cruz, 2025).

5 The formal recognition of Indigenous peoples in the context of climate change dates back to the 1992 United Nations Framework Convention on Climate Change (UNFCCC). Since then, their effective inclusion in climate policies has been gradual. An important milestone was COP21 in 2015, where the Paris Agreement was adopted, recognizing the importance of Indigenous peoples' traditional knowledge in climate action. Subsequently, at COP24 in 2018, the Local Communities and Indigenous Peoples Platform (LCIPP) was established, aimed at strengthening knowledge sharing and the participation of these groups in climate decision-making (Coloma, 2021; Begert, Sarmiento & Guerra, 2021).

Society of Environmental Law, 2024; OHCHR, 2024; Dávila, 2024; Wiesse, 2024).

Despite the broad legal framework created to facilitate the recognition and titling of native communities, they continue to face major obstacles in accessing legal security for their territories. The main problems include territorial overlaps, land trafficking via the manipulation of SUNARP's cadastral databases for properties and native communities, the exclusion of forest lands from the communal property regime—only allowing for use concession—and poor institutional coordination. Furthermore, the titling process is slow, expensive, and highly bureaucratic (Ombudsman's Office, 2018) .

A recurring issue is that many communal land titles are not formally registered with SUNARP, which further weakens their legal protection (Ministry of Culture, 2025). In Amazonian regions, although native communities possess land titles, they remain unregistered in Public Registries, mainly due to overlapping land claims. These unfinished titling processes reveal the lack of effective guarantees by the State for the collective territorial rights of indigenous peoples.

It is important to note that the responsibility for native community titling lies with the MIDAGRI, an entity responsible for agrarian production and with no specialization in indigenous peoples. Paradoxically, the Ministry of Culture (MINCUL) —responsible for formulating policies for indigenous peoples[6]— has no jurisdiction over the titling process for Native and peasant communities that encompass the indigenous population.

Amendment to the Forestry and Wildlife Act in 2024 and its implications

In January 2024, the Congress of the Republic passed Act No. 31973, which amended Act No. 29763, the Forestry and Wildlife Act. Among the main changes were the transfer of the authority to assign BPPs from the MINAM to the MIDAGRI and the elimination of forest zoning as a prerequisite for granting titles.

According to an analysis by the Legal Defense Institute (IDL), this amendment legitimizes deforestation practices by allowing degraded or deforested forests to be reclassified as agricultural lands, even though unauthorized deforestation constitutes an environmental crime under the Penal Code. In the words of the IDL, this law and its ratification by the Constitutional Court in March 2025 represent "a major setback in forest protection, as it legalizes the violations committed by the Congress against the Amazonian forests" (Ruiz Molleda, 2025).

These provisions have a direct impact on territories inhabited by indigenous communities, potentially weakening their legal security and facilitating the advance of private interests over their lands. Furthermore, it has been argued that this law was not adequately consulted with indigenous peoples, thus violating their right to prior consultation as established in ILO Convention 169 (Peruvian Society of Environmental Law, 2024; OHCHR, 2024; Dávila, 2024; Wiesse, 2024) .

6 Act No. 28736, Act for the Protection of Indigenous or Native Peoples in Isolation and in Initial Contact Situation; Act No. 29735, Act regulating the use, preservation, development, recovery, promotion, and dissemination of Native languages of Peru; and Act No. 29785, Act on the Right to Prior Consultation of Indigenous or Native Peoples.

Legal analysis

Since the early 20th century, the Peruvian legal framework has recognized certain collective rights of indigenous communities, including communal property rights and legal personality. However, over time, these recognitions have coexisted with regulations that restrict or fragment such rights, especially in contexts of exploitation of natural resources. The main legal challenges include the following:

- **The Act on Native Communities requires updating and must reflect the perspective of indigenous peoples:** The Act on Native Communities and Agrarian Development of the Rainforest and Upper Rainforest Regions, enacted in 1978, in addition to being outdated in relation to Peru's current context and the diverse reality of indigenous peoples, was never consulted with them at the time of its drafting or thereafter. Over the past 40 years, various regulations have been issued to amend the Act; however, rather than simplifying the titling process, they have contributed to its complexity. According to interviewees, this legal gap, the multiple regulations amending the Act, and the lack of guarantees for legal security and integrity of communal territory contribute to many of the current barriers in recognizing, titling, and legally protecting indigenous territories. The lack of updated laws hinders both State action and the effective exercise of collective rights by indigenous peoples. Furthermore, there are concerns about the State's legal framework recognizing the category of "native communities" instead of "indigenous peoples," which creates confusion and justifies the absence of guarantees of collective rights. In 2019, the Committee on the Elimination of Racial Discrimination (CERD) called for broader recognition of the collective rights as guaranteed by international instruments such as ILO Convention 169. Despite the constitutional recognition of ethnic and cultural plurality in 1993, these issues have perpetuated structural discrimination. The CERD highlighted the need for a framework law on indigenous peoples that harmonizes terminology and ensures the protection of all indigenous peoples and Afro-Peruvian communities, regardless of their formal status. Indigenous organizations, for their part, have insisted that these regulations must be consulted and designed with the peoples they seek to regulate. These recommendations point to the urgent need for a new Indigenous Peoples Act built on inclusive and intercultural principles.

- **Weak enforcement of international standards:** ILO Convention 169, ratified by Peru in 1993 through Legislative Resolution No. 26253, recognizes the collective rights of indigenous peoples over their territories, as well as the right to prior consultation and control over their institutions and resources. Furthermore, at regional and international levels, the jurisprudence of the Inter-American Court of Human Rights has repeatedly reaffirmed the obligation of states to recognize the right to collective property of indigenous peoples. However, the application of these international standards in Peru has been partial and fragmented (Peru's Ombudsman's Office, 2018).

- **Use concession, a subordinate legal form:** The use concession concept was introduced by Act No. 22175 (1978) and remains in force in the current Forestry and Wildlife Act (2011). This category prevents native communities from obtaining property rights over forests, even if they have inhabited those lands for generations. Although the law allows for free land use concession for communities on ancestral territories, ownership remains with the State (Ruiz Molleda & Gavancho León, 2022). Therefore, it fails to ensure permanence or full control over the territory or its resources. Furthermore, this regime is subject to external technical criteria (land classification, georeferencing) and can be unilaterally revoked or restricted. This denial of property rights reflects a state vision that disregards the indigenous conception of territory, which includes not only the land but also forests and resources essential to their existence as a collective body. Paradoxically, while they are denied property rights over forests, the responsibility for protecting them falls almost exclusively on native communities. They are often the ones reporting environmental crimes, yet they are neither recognized as affected parties nor included in legal proceedings.

- **Legal overlapping:** The titling process is systematically hampered by overlaps with other legal categories, such as concessions, ANPs, BPPs, and territories of other indigenous communities (Monterroso & Larson, 2018). In practice, as reported by interviewees, when an overlap is detected, the titling process is usually halted with no clear mechanisms for conflict resolution. No law or regulation provides for a community's prior occupation or pending titling process to have legal precedence over a more recent legal designation. Although BPPs can be resized, this process is often lengthy and a bottleneck (in SERFOR) for the titling process, according to interviewees. This legal omission, combined with the absence of unified data and a single state cadastral registry, directly undermines the legal security of communities. This situation is also exploited by those involved in land trafficking and in the creation of fake communities ("ghost communities"). This problem has been compounded by the recent enactment of Act No. 32293, which amends the Act on the Demarcation and Titling of Peasant Communities' Territories (Act No. 24657). It allows individuals who informally occupied peasant community lands between 2004 and 2015 to access property titles through COFOPRI, facilitating the dispossession of communal lands by legalizing informal occupations without the consent of the affected communities, and potentially incentivizing land trafficking and the expansion of informal settlements in communal territories (CEPES, 2025; Labán Martínez, 2025) .

- **Legal ambiguity regarding georeferencing and land classification:** Experts interviewed for this research have pointed to the existence of ambiguities in regulations related to georeferencing and land classification processes. These ambiguities are often interpreted at the discretion of regional public officials, some of whom choose to avoid additional procedures to minimize workload. For example, there have been reports of officials scanning old maps and performing georeferencing from their offices. Upon field verification, it becomes evident that the boundaries established do not correspond to the actual physical limits —as reported for land titling projects under PTRT3. In other cases, the equipment used is inadequate for accurate field georeferencing, which leads to territorial overlaps and conflicts between communities and third parties, which often results in the loss of territory by native communities. Interviewees also claim that regulations determine that land classification should be carried out "if necessary," which has allowed arbitrary interpretations and non-standardized methodologies, affecting the quality and consistency of the process.

- **Lack of institutional coordination and legal harmonization:** Ensuring legal security for indigenous populations involves several state entities, including MIDAGRI (through the General Directorate of Agrarian Property Regularization and Rural Cadastre), regional governments, Regional Agriculture Directorates, agrarian agencies, SUNARP, SERFOR, ARFFS. Each entity has different procedures, timelines, and criteria established by distinct uncoordinated regulations. In addition to the lack of legal standardization, there is no effective coordination either between institutions or between the various units/offices within an institution. This results in confusing, dispersed, and unreliable data for both the State and indigenous communities, as well as delays, duplication of requirements, and other barriers that undermine legal security.

The analysis of the current legal framework reveals a fragmented, conflicting, and often insufficient legal structure to guarantee the full exercise of indigenous peoples' collective right to territory. Although constitutional provisions and international agreements recognize communal property rights, their implementation is undermined by sectoral laws and persistent state corruption. The subordination of territorial rights to land classification, the lack of security generated by use concessions, the absence of effective mechanisms to resolve overlaps, the systematic omission of the right to prior consultation, and the slow titling processes, all erode the legal security of indigenous peoples. Furthermore, recent legal amendments, such as Forestry and Wildlife Act No. 31973, have enables agricultural activities and deforestation in indigenous territories.

In this context, legal security should be understood not only as access to a title recorded in public registries, but as the full and lasting guarantee of autonomous control over the territory and its resources, in accordance with the legal, social, and cultural systems of indigenous peoples. It requires protection against arbitrary state or private interference, respect for the entire territory —including forest-use areas— and the effective ability to exercise rights without fear of displacement, invasion, or dispossession.

This underscores the need to develop comprehensive and coherent standards that place the protection of territory at the center of indigenous development, identity, and autonomy. In particular, it is urgent to review the legal framework governing native communities. For instance, Decree Law No. 22175, enacted in 1978, was conceived in a political, territorial, and cultural context vastly different from today's. Since then, the reality of indigenous peoples has evolved at an accelerated pace in terms of internal organization, interaction with the State, environmental challenges, and the presence of external actors in their territories, without a parallel and adequate evolution of the state legal framework. Therefore, indigenous specialists and organizations argue for a new Act on Native Communities, drafted with the full involvement of indigenous peoples, recognizing territorial integrity, respecting their own forms of organization and governance, and aligning with international standards.

3.2 PROGRESS, CHALLENGES, AND EMERGING CONFLICTS RELATED TO LAND TITLING PROCESSES IN UCAYALI

This section presents the demands of indigenous organizations regarding land titling processes and titling projects implemented in recent years in Ucayali. It then analyzes the limitations and obstacles in the physical-legal land regularization process, as well as the threats to the legal security of the territories of the native communities in the department. Finally, it discusses how native communities and indigenous organizations perceive legal security and the consequences arising from this situation.

3.2.1 STATUS OF THE TITLING OF NATIVE COMMUNITIES IN UCAYALI

Ucayali, located in the Amazonian lowland rainforest region in central and eastern Peru, is one of the largest departments in the country, covering an area of 105,086.24 km² —representing 7.97% of the country's territory. Created on June 18, 1980, by Act No. 23099, it is one of the most recently created departments in the country. Its capital is Pucallpa, the second largest city in the Peruvian Amazon, with 428,700 inhabitants. The department accounts for 1.9% of the national population, with the province of Coronel Portillo being the most populated, with 466,369 inhabitants, followed by Padre Abad, with 81,541 inhabitants, according to INEI projections for 2022. It is noteworthy that approximately 84% of the Ucayali population lives in urban centers, while only 16% corresponds to the fully rural population (ORAU & ProPurús, 2025).

Ucayali exhibits a social landscape marked by deep inequalities, especially between the indigenous and non-indigenous populations. With an overall poverty rate of 26.9% and an extreme poverty rate of 4% (ENAHO, 2023), the department faces significant challenges. The situation is particularly alarming for the indigenous population: for example, almost 40% of children under five suffer from chronic malnutrition, compared to 13.7% among the mixed-race population (ORAU & ProPurús, 2025).

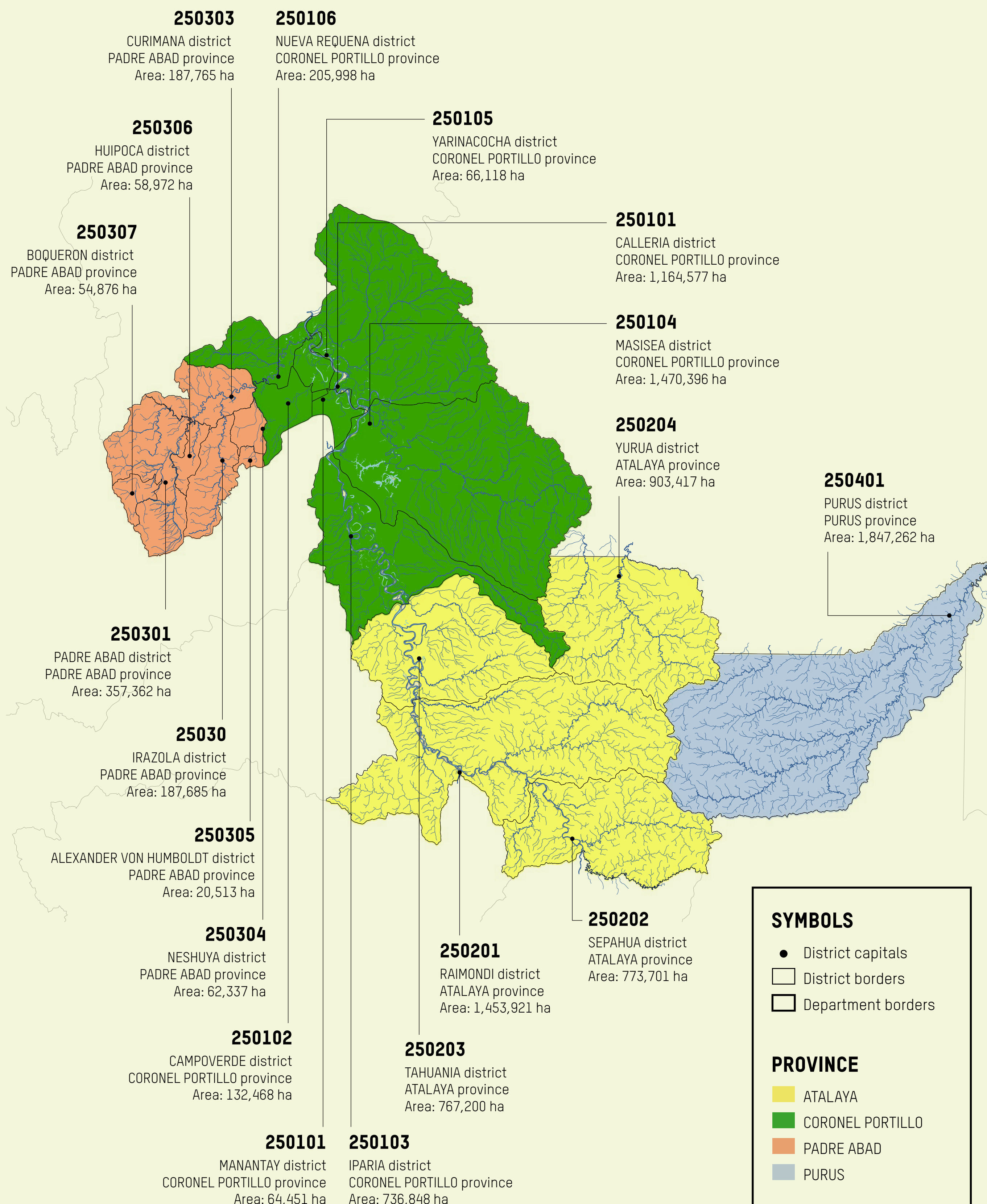
Disparities in access to basic services are striking: only 24.7% of the indigenous population has access to clean water —compared to 66.2% of the mixed-race population—, while 9.4% have access to sewage systems, and 37.4% to public electricity. The digital gap is equally stark, with only 5.2% of the indigenous population having access to computers or tablets and less than 3.1% having internet connectivity. This reflects the department's general backwardness, where coverage of the comprehensive package of basic services (38.9%) is well below the national average (73.6%) (ORAU & ProPurús, 2025).

Health infrastructure is insufficient, especially in remote areas. Of the 202 health facilities in the department, the majority are located in Coronel Portillo, while in provinces such as Atalaya, Aguaytía, and Purús, healthcare for indigenous communities is extremely limited. This situation is exacerbated by connectivity challenges: although Ucayali has 2,510.1 kilometers of roads —including 229.9 km of paved roads—, the road network is insufficient to efficiently connect the territory. Regarding security, the department shows an increase in victimization (0.8%) and a rate of crimes committed with firearms higher than the national average (19.4%), with only 17 police stations and 702 police officers, most of which are concentrated in district capitals (ORAU & ProPurús, 2025).

Between 25% and 27% of Ucayali's territory is under some form of control by the 21 indigenous peoples (BDPI), a figure that rises to 40% when indigenous reserves are included (DAR, ORAU & ProPurús, 2022). However, more than 100 communities report territorial conflicts arising from overlapping land rights, drug trafficking expansion, and the proliferation of private roads (ORAU & ProPurús, 2025).

This is representative of the situation of communities that have historically been dispossessed of their lands by various external actors seeking to exploit their natural resources

FIGURE 2: Political map of Ucayali - Source: ORAU & ProPurús, 2025



(Ponce, 2024) —a process facilitated by the weak presence of the State. This weakness is also evident in deficient health, education, security and infrastructure services, as well as the lack of employment and market economy development, which leave the population highly vulnerable and exposed to illegal activities that partially alleviate their economic hardship (DAR, ORAU & ProPurús, 2022; Fernández, 2024).

Ucayali has become an epicenter of multiple illegal economies that threaten both the Amazonian ecosystems and the indigenous communities inhabiting them. Drug trafficking dominates this landscape, with at least 45 clandestine airstrips, mainly in the province of Atalaya, while communities such as Flor de Ucayali face massive deforestation, illegal coca cultivation, and the presence of armed groups (Mongabay Latam, 2024; IDL, 2021). Deforestation has reached alarming levels with more than 40,000 hectares lost in 2020 (Ojo Público, 2022), evidencing serious environmental and social deterioration. Simultaneously, illegal mining contaminates rivers with mercury, and land trafficking operates through a sophisticated system of land appropriation that includes "phantom titling" and corruption of public officials (Oxfam Peru, 2018; Mongabay Latam, 2018). In the absence of an effective State, indigenous peoples have implemented community patrols and early warning systems for self-protection (Tosi, 2022).

From 2019 to 2024, Peru's Ombudsman's Office recorded 25 conflicts in Ucayali (Annex 6) related to demands for land recognition, physical-legal regularization (cadastre) and land titling, as well as reports of illegal logging on indigenous lands, protests against anti-forest laws, reversion of land sales to agro-industrial companies, border disputes, and demands for justice for the murder of territorial defenders (reports on social conflicts from the Ombudsman's Office, 2019 - 2024).

In this context, territorial defense has become a priority on the agenda of indigenous organizations in Ucayali and throughout the Amazon, as reflected in the land recognition and titling requests submitted by native communities in Ucayali, channeled through local organizations such as the AIDESEP Ucayali Regional Organization (ORAU), the Regional Coordinator of Indigenous Peoples of AIDESEP Atalaya (CORPIAA), and the Regional Association of Indigenous Peoples of the Amazon of the Atalaya Province (URPIA). These organizations receive international cooperation funding to support the titling processes of native communities through logistical resources and legal technical assistance. They also engage in advocacy actions and demand the creation of or amendment to laws that protect indigenous peoples. For example, ORAU requests the creation of protection mechanisms to secure the territories of native communities during the titling process, preventing the granting of concessions over them.

The Regional Agriculture Directorate of Ucayali (DRAU) highlights the intermediary role played by indigenous organizations in community requests and land titling processes. It is worth noting that, according to the legal framework outlined earlier, recognition and titling duties lie with the State —specifically the MIDAGRI and the regional governments. However, due to multiple limitations, the process is carried out by indigenous organizations, supported by non-profit organizations and international cooperation agencies. Consequently, the DRAU acts mainly as an observer, despite being, by law, the body responsible for execution.

> **Organizations are key when carrying out these procedures; they are the first public relations professionals able to resolve conflicts. We move from being mediators to observers. They are the ones best placed to handle these issues, because within those organizations, they have staff from the same ethnic groups with whom they can interact. They speak the same language. (Operator, DRAU)**

Information on the situation of native communities in Ucayali is scattered and varies depending on the source. According to the BDPI, there are 480 indigenous communities in the region, including 258 titled native communities, 46 recognized native communities, 16 Indigenous Peoples in Initial Contact Situation (PICI), and 160 unidentified localities. In contrast, the DRAU database records a total of 538 indigenous localities, of which 337 are native communities with titles registered with SUNARP, 61 are titled but unregistered native communities, and 140 are untitled.

BDPI and DRAU datasets diverge notably. While the former reports 258 titled native communities without specifying their registration status in public registries, the DRAU reports 398 titled native communities, of which 337 are registered. In other words, there is a discrepancy of 140 native communities that the DRAU classifies as titled. This inconsistency is compounded by data from SUNARP, which, as of September 2023, records a total of 375 communities, with only 71 of which are georeferenced[7]; that is, the exact location of almost all of them is unknown, and their registry files remain outdated.

The table below summarizes the discrepancies among the various institutions regarding registration categories and the number of titled native communities recorded in Public Registries, as well as recognized and untitled native communities, among others.

TABLE 3: Information on native communities

Source	BDPI	DRAU	SUNARP
Titled native communities	258	-	-
native communities with titles registered with SUNARP	-	337	375
Native communities with unregistered titles	-	61	-
Recognized native communities	46	-	-
Indigenous Peoples in Initial Contact	16	-	-
Untitled native communities	-	140	-
Localities without specified type	160	-	-
Total number of indigenous localities	**480**	**538**	**375**

Sources: BDPI, DRAU, SUNARP

These differences in the legal status of native communities entail different territorial rights. On the one hand, recognized communities obtain legal personality through a recognition resolution issued by the Regional Government's DRAU, but this recognition does not grant them rights over the land. On the other hand, titled native communities, in addition to legal recognition, hold a property title to their lands. This title theoretically grants them legal security over their territory and the right to exercise all the attributes of property rights: to use, exploit, manage, and claim their lands.

These variances are particularly significant, as recognized communities lack legal mechanisms to defend their territory against invasions or overlapping claims, while titled communities have legal instruments to defend their property. Furthermore, titled communities have the power to freely manage their lands, decide on the use and exploitation of resources in their territory, authorize or deny third-party activities, and carry out productive projects with legal security.

Based on these differences in legal status, we note that there are more than 200 groups of indigenous peoples registered in the DRAU and BDPI databases as "locality without identified type," "untitled," "recognized," or "with unregistered title." These groups are unprotected due to their lack of right to the guarantees provided by the Act on Native Communities for the protection of the population and their property. Furthermore, in the past five years (2020-2024), the DRAU has registered only 18 titled native communities, reflecting a slow titling pace, with an average of three registrations per year.

In contrast, forestry, mining, and hydrocarbon concessions predominate in Peruvian territory. According to SERFOR, by 2017, forest concessions[8] in Peru occupied a total of 9.2 million hectares (7% of the national territory), of which 6.4 hectares (5% of the national territory)

7 See https://www.gob.pe/institucion/regionucayali/noticias/840771-ponen-a-disposicion-herramienta-que-simplificara-proceso-de-titulacion-en-comunidades-nativas

8 "Forest and wildlife concessions (...) are a type of enabling title, granted on public domain lands and valid for a renewable period of up to to of 40 years." (SERFOR, 2017, p. 1)

correspond to timber concessions (SERFOR, 2017), while more than 40% of the Peruvian Amazon (approximately 16 million hectares) is located in areas granted for oil or gas exploitation (MICI & IDB, 2024). Regarding mining concessions, the MAAP[9] (2024) records 799 conflictive mining concessions[10] in the Peruvian Amazon, with an overlap of 158,580 hectares, of which 89% overlap with native community territories (151,682 hectares). Added to this is the fact that more than 50% (more than 9 million hectares) of the areas classified as BPPs by SERFOR also overlaps with territories of native communities (MICI & BID, 2024).

The visible contrast between the State's slowness in titling native communities —only 18 in the last five years— and its efficiency in granting concessions to private actors occupying millions of hectares reveals a clear prioritization of the extractivist model over indigenous territorial rights. This asymmetry is not incidental, but systemic, reflecting a lack of political will to guarantee the legal security of indigenous peoples over economic interests. The overlapping of concessions onto indigenous territories —with over 150,000 hectares of conflictive mining concessions on native communities— perpetuates a cycle of vulnerability that fuels illegal economies and encourages land trafficking. By prioritizing the granting of rights to third parties while neglecting its obligations to native communities, the State paradoxically acts as an indirect facilitator of territorial dispossession, deforestation, and socio-environmental issues that seriously affect the Ucayali region, reinforcing historical, social, and territorial inequalities.

9 Monitoring of the Andes Amazon Program.

10 They are conflicting mining concessions that overlap with protected areas, Native communities, territorial and Indigenous reserves, and bodies of water. Mining activity in these areas can lead to the deforestation of primary forests and the contamination of important water sources (MAAP, 2025).

3.2.2
TITLING PROJECTS

Several land titling projects have been implemented in the last decade, most of them with partial or unsuccessful results. The following projects have been reported in the region since 2015:

Table 4: Projects related to the physical-legal regularization process of native communities in Ucayali[11]

Project	Entity in charge	Regions of intervention	Duration	Achievements
UNDP-DCI Project (Stages 1 and 2)	UNDP-PNCB	San Martín, Ucayali and Loreto	2016-2017 2020-2023	• 45 titled native communities (5 in Ucayali). • 22 use concession contracts (19 in Ucayali). • 27 native communities with titles registered with SUNARP.
Saweto Dedicated Grant Mechanism (Saweto DGM)	AIDESEP/ CONAP/WWF	Loreto, Ucayali, Madre de Dios, Amazonas, San Martín, Junín and Huánuco	2015-2021	• 253 recognized native communities with registered titles. • 230,239 hectares of titled indigenous lands. • 4 initiatives to improve the legal framework.
Rural Land Cadastre, Titling and Registration in Peru, 3rd Stage Project (PTRT3)[1]	UEGPS-MINAGRI	Amazonas, San Martín, Junín, Cajamarca, Huánuco, Cusco, Ucayali, Apurímac, Puno and Loreto	2015-2023	• 43,568 individual rural property titles in Amazonas, Apurímac, Cajamarca, Cusco, Huánuco, Junín, and Puno. • 49 titles registered for native communities in Amazonas, Junín, Loreto, and San Martín. • 40 titles registered for peasant communities in Apurímac, Cajamarca, Cusco, Huánuco, Junín, and Puno.
Forest Investment Projects in Atalaya, in the Ucayali region[2]	PNCB	Ucayali	2018-2022	• Support for the titling of 25 native communities.
ProTierras Comunales+	GIZ	San Martín and Ucayali	2017-2019	• Information on land titling processes – limitations. • Active participation of indigenous federations and native communities.

The most relevant projects for Ucayali have been the Saweto DGM, the Cadastre, Titling and Registry of Rural Lands in Peru – 3rd Stage (PTRT3) and the UNDP-DCI, both in terms of the achievements in the recognition and titling of communities and lessons learned.

11 Sources: PNDU - DCI Stage 2, DGM Saweto Report, CIFOR 2019, IDB - PTRT3
Note 1: https://www.gob.pe/institucion/midagri/noticias/1087321-gobierno-beneficio-a-mas-de-242-mil-productores-con-titulos-de-propiedad-rural
Note 2: https://www.gob.pe/institucion/bosques/noticias/921326-en-atalaya-comunidades-nativas-obtienen-titulos-de-propiedad-que-les-permite-conservar-sus-bosques

A

SAWETO SPECIFIC DEDICATED MECHANISM (DGM)

The Saweto Dedicated Grant Mechanism (SAWETO DGM, 2021) is the result of the international advocacy of indigenous organizations that demanded that a portion of the World Bank's Forest Investment Program (FIP) be allocated to indigenous peoples. In Peru, this fund was designed by the two largest national indigenous organizations in the Amazon, AIDESEP and CONAP, —representing more than 2,000 native communities—, with technical and administrative support from WWF. This project marked a milestone and became a benchmark for subsequent physical-legal regularization initiatives, as indigenous organizations played a leading role in defining a non-negotiable agenda centered on the titling of indigenous territories in coordination with the State and international cooperation. A total of 16 regional and local indigenous organizations participated, implementing more than USD 2.5 million over the five-year project period.

Achievements include simplifying procedures and reducing processing times to one-tenth[12], securing more than 230,000 hectares of forest, and registering more than 250 indigenous communities with legal personality. The project also provided important information on the costs and timescales of the recognition and titling processes: recognition costs approximately USD 3,000 and takes approximately 12 months, while titling costs approximately USD 12,000 and takes approximately 36 to 48 months.

Furthermore, this project contributed to building the capacities of indigenous organizations, which learned to manage resources under international cooperation standards, and built management, negotiation, and consultation skills and capacities to prepare proposals, plan in coordination with the State, manage processes, execute budgets, and generate financial reports (SAWETO DGM, 2021).

B

UNDP-DCI

The UNDP-DCI Project: Preparing the Way for the Full Implementation of the Transformation Phase of the Peru-Norway-Germany Joint Declaration of Intent contributed to the regularization of at least 5 million hectares of indigenous lands, specifically native communities —demarcation plus granting of rights/titles— with a total investment of USD 7,278,666.60. The organizations that actively participated were the Inter-Ethnic Association for the Development of the Peruvian Rainforest (AIDESEP) and the Confederation of Amazonian Nationalities of Peru (CONAP) at the national level, and the Confederation of Amazonian Nationalities of Peru - Ucayali Headquarters (CONAP Ucayali), the Regional Association of Indigenous Peoples of the Upper Amazon (URPIAA), the Association of Kakataibo Native Communities of Ucayali (ACONAKKU), the Regional Organization of Indigenous Peoples of the Amazon (ORDEPIA), the Regional Coordinator of Indigenous Peoples of San Lorenzo (CORPI SL), the Regional Association of Indigenous Peoples of the Central Rainforest (ARPI SC), and the AIDESEP Regional Organization Ucayali (ORAU) at the regional level. These organizations were involved in the preparation of the work plan, the construction of the criteria matrix for the selection of communities to be titled, the meetings for the preparation of field routes, the budgeting process, the dissemination prior to entering the field, and the ongoing follow-up meetings (UNDP-DCI, 2023).

12 (1) Execution of the Recognition and Registration Procedure Administration – Ministerial Resolution No. 0435-2016-MINAGRI, Ministerial Resolution No. 0589-2016-MINAGRI.
(2) Execution of Agrological Land Evaluation – Ministerial Resolution No. 0194-2017- MINAGRI.
(3) Operation of the new Cadastral System for Rural Properties (SICAR), creation of the Cadastral System for Peasant and Indigenous Communities (ISC Communities), and User Manuals – Ministerial Resolution No. 0362-2018-MINAGRI.
(4) Execution of the Permanent Production Forest Resizing Procedure – Ministerial Resolution No. 0368-2018-MINAGRI.

C

RURAL LAND CADASTRE, TITLING AND REGISTRATION IN PERU – 3RD STAGE PROJECT (PTRT3)

The Rural Land Cadastre, Titling and Registration in Peru – 3rd Stage Project (PTRT3) was approved in 2014 with a fund of 80 million dollars, financed equally by the Inter-American Development Bank (IDB) and the Peruvian State, under the responsibility of the Sectoral Project Management Executive Unit (UEGPS), attached to MIDAGRI's Vice Ministry of Family Agriculture Development and Agrarian Infrastructure and Irrigation. The Project's objectives were (i) to title individual rural properties, peasant communities and native communities, (ii) to modernize the rural land cadastre, and (iii) to help strengthen the entities involved in order to increase efficiency in the implementation of the cadastre (Tuesta, IBC, 2022). The intervention focused on 274 rural districts in 10 regions: Amazonas, Apurímac, Cajamarca, Cusco, Huánuco, Junín, Loreto, Puno, San Martín and Ucayali (MICI & IDB, 2024).

PTRT3 faced multiple obstacles to community land titling. In 2022, the IDB withdrew from the project due to the failure to meet its established objectives. One observation about the project is that most of the specialists involved had experience in individual titling rather than collective titling (Land Governance, 2019). Furthermore, external consulting firms unfamiliar with the processes or the local reality were hired for the recognition and titling of native communities. This generated resistance and distrust among regional governments, which received files with results of research that they had not carried out but were required to endorse. These factors, among others, led to the termination of contracts without meeting the goals.

Currently, the PTRT3 continues to operate[13] in ten priority regions of the Peruvian highlands and rainforest: Amazonas, Apurímac, Cajamarca, Cusco, Huánuco, Junín, Loreto, Puno, San Martín and Ucayali (MIDAGRI, 2024). In 2023, 47 native communities and 19 peasant communities were titled in the regions of Junín, Loreto, Ucayali and San Martín[14], and in 2024, 49 native communities were titled in Amazonas, Junín, Loreto and San Martín, and 40 peasant communities in Apurímac, Cajamarca, Cusco, Huánuco, Junín and Puno[15].

In Ucayali, the ORAU is promoting the Territory and Titling of Native Communities Project to support the region's grassroots by streamlining the titling process, providing support for georeferencing and registration in public registries, and gathering information on the status of all processes in the region.

13 In December 2021, Executive Director Resolution No. 039-2021-MIDAGRI-DVDAFIR-UEGPS-DE approved "the amendment of the PTRT3 intervention strategy, under CUI 2268198, so that the titling process of individual rural properties and peasant and Native communities is executed by Supervised Working Groups (GTS)" (MIDAGRI, 2024).

14 See https://www.gob.pe/institucion/uegps/noticias/903790-midagri-impulsara-titulacion-gratuita-de-84-comunidades-nativas-durante-el-2024

15 See https://www.gob.pe/institucion/midagri/noticias/1087321-gobierno-beneficio-a-mas-de-242-mil-productores-con-titulos-de-propiedad-rural

THE FOLLOWING LIMITATIONS HAVE BEEN IDENTIFIED

in the projects shown in Table 4:

At the institutional and administrative level, political instability and high turnover of officials delay or paralyze processes. For example, between 2014 and 2022, Peru had six presidents, and the UEGPS had six directors and eight general coordinators in less than five years. In other words, UEGPS directors remained in office for an average of only 9.3 months. This is compounded by poor organizational capacity, the use of inadequate management tools, the absence of adequate monitoring systems, a lack of qualified personnel in local governments, and insufficient budget for the operations and logistics of processes.

There are no inter-institutional coordination or unified cadastral database. Regional governments lack the capacity to conduct cadastral, titling, and registration processes, or to resolve disputes in titling processes when there are overlapping rights. They also lack official data on the titling processes of native communities in the region due to the limited technical capacity to store and update such information.

The corruption of state officials and the lack of political will facilitate settler occupation, the granting of concessions to companies, and the proliferation of illegal activities in indigenous territories. This is evident, for example, in the recognition by local authorities of rural settlements ("caseríos") or the granting of forest concessions within communal territories undergoing formalization.

There are overlapping rights due to titles granted over the same territory. Native communities often cannot be titled and registered in public registries because their territory overlaps with other forms of property, such as ANPs, BPPs, forest concessions, private lands, and other native communities. This is due to the lack of updated cadastral data within state entities, the inability of such entities to resolve overlaps and offer solutions in negotiations between the parties, and the consistent prioritization of concessions and private property over the collective rights of indigenous peoples.

The limitations of the legal framework and procedures generate a lengthy bureaucratic titling process. For example, land classification —used to determine which sections of a native community's territory will be granted ownership and which will be subject to use concession contracts— does not comply with ILO Convention 169 and limits communal ownership, making us call into question its effectiveness in forest conservation. Furthermore, bureaucratic and conflicting policies truncate titling processes and generate social conflicts over land and resources.

There is a growing presence of settlers occupying communal territories, forming settlements, and deforesting for agricultural activities, many of which are illegal, such as coca cultivation and timber extraction. The concept of "abandoned lands" in Native territories is used by settlers to occupy them and obtain land titles. This reflects a lack of understanding of the cultural codes and land-use practices of indigenous peoples, who relate to their territory from a perspective different from that of Andean settlers, who tend to expand agricultural lands and engage in market-oriented production.

Native communities requesting the physical-legal regularization of their territories lack information and resources. There is insufficient information on titling processes and weak presence of state institutions, particularly the DRAU, which is responsible for providing guidance on the physical-legal regularization process. Community members also lack clarity on the guidelines for resolving conflicts arising from overlapping property rights.

All of these obstacles, conflicts, and limitations led to projects focusing on titling communities that were not experiencing conflicts, leaving the majority unprotected.

THE FOLLOWING LESSONS LEARNED

were also identified:

Joint work with indigenous organizations. In the case of PTRT3, the strengthening of work brigades with indigenous specialists was a notable achievement. Their knowledge of the language and culture of the communities visited facilitated appropriate interaction, ensured the safety of brigade members, and, overall, helped build relationships of trust, thus increasing the Project's acceptance and collaboration. Meanwhile, in the Saweto DGM, the leadership of indigenous organizations laid the foundations for future interventions and broke with the traditional framework that positioned indigenous peoples as beneficiaries and passive actors. Instead, it enabled the participation of indigenous organizations as protagonists and implementers of projects, thus asserting their right to autonomy and self-governance.

Prioritizing the capacity-building of indigenous organizations was key to negotiate with state authorities and international cooperation agencies, encourage dialogue from an intercultural perspective that truly includes the interests and views of indigenous peoples and allows for culturally adapted processes, debureaucratize procedures, improve communication, and strengthen indigenous governance.

Information on the cost and duration of the recognition and titling processes should be considered in the design of public policies and in the allocation of budgets for the physical-legal regularization of native communities. It is important to emphasize that such information must go hand in hand with political will and State commitment at all levels for the fulfillment of goals.

3.2.3 OBSTACLES AND THREATS TO THE TITLING PROCESS AND LEGAL SECURITY OF INDIGENOUS TERRITORIES IN UCAYALI

This section presents, on the one hand, the limitations and obstacles to the physical-legal regularization process, which includes recognition, titling, and registration with SUNARP, and on the other, the threats to legal security, which are not limited only to the physical-legal regularization process, but also encompass the spectrums of illegality and informality.

3.2.3.1 Obstacles and limitations in the physical-legal regularization process

In the physical-legal regularization process —which involves recognition, titling, and registration with SUNARP—, multiple obstacles and limitations have been identified at different levels and by different actors.

AT THE STATE LEVEL

The State faces administrative and logistical limitations, a lack of up-to-date data and a unified database (cadastral registry), lengthy bureaucratic processes as a result of conflicting regulations that complicate the physical-legal regularization process, political instability, and scarce economic and human resources.

a. Lack of resources and reach of the State

The lands inhabited by indigenous peoples are located in remote and often hard-to-reach areas where state services are largely unavailable. In addition, regional governments have limited financial and human resources. In particular, the Regional Agriculture Directorate of Ucayali (DRAU) lacks sufficient staff or the financial means to address recognition and titling requests from the region's native communities[16]. As an AIDER ally stated, the Ministry of Agriculture has acknowledged: "We only have resources to title one community per year," so without civil society intervention, titling would simply not occur. Native communities, therefore, depend on non-profit organizations, indigenous organizations, and international cooperation to fund both the personnel and logistics required for titling.

> We don't get any help from the Navy or the police. They tell us, "Paid for our gas and we can train you." We are talking about a State that contributes nothing. We have to give them things instead. They have boats, but no fuel. They don't have a budget, or aren't interested in allocating a budget. They ask indigenous organizations to fund the titling process. (Leader, URPIA).

DRAs do not have a budget allocated exclusively for titling, which prevents them from having specialized and trained personnel, much less the minimum logistical implementation to handle both field and office titling work (Ramon, 2019-CEDIA; BIC-PTRT3). Thus, state entities do not respond to the communities' requests, citing the classic excuse that "there is no budget." The lack of budget and personnel, coupled with the government's lack of political will, favors the titling of private lands and agricultural and extractive activities over the collective rights of indigenous peoples (Oxfam, 2016; DAR, ORAU & ProPurús, 2022).

Furthermore, the remoteness of the communities to be titled poses risks due to illegal activities, such as drug trafficking and logging. DRAU brigades are supposed to conduct fieldwork as part of the titling process, but refuse to cover many areas due to high levels of insecurity related to drug trafficking

16 This extends to other sectors of the State, such as the Specialized Prosecutor's Office for Human Rights and Interculturality of Ucayali, which serves Indigenous peoples and has only two prosecutors to handle more than 100 cases.

and other illegal activities. In the words of one indigenous leader:

> Community members themselves tell them that they can't go any further because the area is controlled by drug traffickers. That's the thing. How are you supposed to ask your personnel to expose themselves and talk to coca growers? They ask a lot of questions, and if they suspect that you are an informant, they just kill you. (CONAP).

b. Political and administrative instability and lack of coordination between state entities

High staff turnover delays or interrupts titling processes, and in many cases, forces them to start over from scratch (Tuesta, 2022). As an IBC specialist points out, the strategy in Ucayali appears to be to change staff every three to six months, with the new director deciding to restart the process.

This situation is compounded by the lack of coordination among regional government entities responsible for the titling and granting of titles and concessions. In other words, regional government departments operate in parallel, granting rights over the same territories, without communicating with one another. As an ORAU leader put it:

> "There's an internal divorce within the same entity: an agrarian agency and a native communities department granting titles within the same institution, with two offices doing different jobs, but in the same territorial space."

The Regional Forestry and Wildlife Development Office (GERFOR) corroborates this information.

> The DRAU should inform us when they're working on a community titling issue, but they don't (...) Titling has a procedure, and it doesn't include asking us to verify overlaps with other areas. In the end, we're all part of the Regional Government, and we should be working together, right? (GERFOR).

c. Fragmented and outdated cadastral database

There is no unified cadastral database. In other words, each regional government entity works with a different database, with no interoperability among them. This is exacerbated by the fact that they do not update their information. The GERFOR representative points out that the graphic database provided by the DRAU is not up-to-date, and this prevents them from knowing the status of territories when granting concessions.

Deficiencies in data management extend to all levels of government. GERFOR states official state information is not updated with the data submitted by regional offices, which "not only limits the titling process but also the state's capacity. The national charter is completely outdated; there is a problem with national data." This is evident, for example, in the discrepancies between data from the DRAU and the BDPI on native communities in Ucayali, as mentioned in the section above.

d. Overlapping rights

These deficiencies in coordination and data management among state entities result in the main obstacle to the titling of native communities: overlapping rights. Native communities that request titling and registration with SUNARP, as well as those that must be georeferenced and updated, often find out that other types of rights have previously been granted over the same territories: BPPs, ANPs, native communities, private lands, forest concessions, hydrocarbon concessions, among others. As a result, although the titling process for a community may be administratively concluded, the title cannot be registered with SUNARP (Ramón, 2019; ORAU & ProPurús, 2025).

Each type of property involves a different negotiation process and involves different actors. In the case of BPPs, the exclusion of the area, its resizing, and subsequent use concession must be negotiated with SERFOR. When overlap occurs between neighboring communities, the delimitation of boundaries will depend on the agreements reached between them. When the conflict involves private properties and concessions, the titling process may be truncated. As the DRAU representative states, the parties rarely give in:

"The concessions here, for the most part, are valid, and since they are official, they constitute a right granted by an entity, so the parties will rarely give in. I have never seen a party withdraw." Such is the case of the Mennonites in Masisea, who, through mechanisms still under investigation, settled on more than 2,000 hectares located in the Caimito, Dinamarca, and Buenos Aires Native Communities, all of them Shipibo- Konibo. They are currently in negotiations to stop the trials for invasion and usurpation of communal lands, in addition to taking legal action to avoid paying a multi-million dollar fine imposed by the GERFFS Ucayali (ORAU & ProPurús, 2025).

In these cases, the regional government has proven ineffective in mediating negotiations, often evading responsibility and limiting itself to formally fulfilling its duties. According to an AIDER representative, no authority is specifically in charge of resolving land overlaps, and the prosecutor's office intervenes only when funding is available. As a result, communities themselves must follow up on their complaints to prompt action from the relevant authorities; otherwise, cases are simply archived.

According to DRAU officials and NGO specialists, there is no significant difference between titled communities and those in the process of titling regarding overlapping issues. They even state that titled communities, especially those with titles granted more than 20 or 30 years ago and without georeferenced cadastral maps, face greater difficulties, as they must re-register and, in doing so, encounter overlapping issues that halt the process.

e. Inadequate and outdated standards

The current legal framework has not been designed with the essence of native communities in mind. On the contrary, laws have been drafted from an urban settings and private property perspective. As noted in the analysis of the legal framework for the titling of native communities under Objective 1, regulations have not been conceived taking into account the specificities of indigenous communities. While they recognize communities' right to property, they do not do so from a holistic perspective, failing to account for the central role that territory plays in the worldview of indigenous societies.

> For example, in the cadastre, there is an urban territory and a communal one. A different analysis must be applied to the cadastre and the regulations, because the territory of Native peoples is communal; its essence is communal: its trees, its rivers, its mountains—that's how they live. This difference is currently not taken into account in regulations (Operator, SUNARP).

Therefore, according to the SUNARP representative, proper territorial regularization requires the development of updated regulations and the simplification of the land titling process.

f. Deficiencies and conflicts in georeferencing and land classification processes

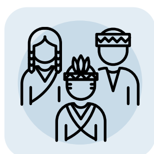
According to Resolution No. 370-2017-MINAGRI, indigenous communities must be georeferenced in order to re-register with SUNARP, which entails updating cadastral maps. However, there is no standardized formula for georeferencing, but it is at the discretion of each regional government. While regulations stipulate that differential GPS must be used —at a cost of between USD 7,000 and USD 20,000— in practice, regional governments often use GPS navigation, which is much less accurate. This results in the repetition of map errors dating back to the 1970s and in the considerable loss of territory.

> When communities are georeferenced, if you previously owned 10,000 hectares, you could end up owning only 1,000 hectares because the rest has been transferred for use. That's when you lose your right. Where's the legal security? The official says, "Your map will be in the cadastral system." It is, but the number of hectares is a thousand times smaller. (Specialist, IBC).

Similarly, the government leaves the Land Classification Act ambiguous by leaving its interpretation at the discretion of each regional government. However, the law also stipulates that communities must complete georeferencing in order to register in public registries, which requires prior land classification (Ramón, 2019). As one IBC specialist explained:

"Some regions do it, and others say it's not necessary. But to register with SUNARP, [land classification] is a requirement, so they have to go through the process; it's like requesting the title all over again".

All of these limitations and obstacles lead to lengthy bureaucratic processes and obstacles that hinder legal security for indigenous peoples in the Ucayali region. According to a study by ORAU & ProPurús (2025), the DRAU has registered only 22% of the region's communities as titled, registered, and georeferenced, while 35% are in the process of registration in public registries. This leaves approximately 57% of native communities unprotected.



AT THE LEVEL OF INDIGENOUS ORGANIZATIONS

Indigenous organizations are the main drivers of land titling among communities, yet they depend on funding from international cooperation. This reliance has proven challenging in past projects due to multiple barriers and lengthy physical-legal regularization processes that often exceed project deadlines, resulting in unmet goals and discouraging future investments in similar initiatives. Consequently, organizations now address the issue of land titling through political advocacy. As a URPIA leader explains, they must allocate funds from other projects to seize opportunities for political advocacy on land matters. Thus, the main limitation for indigenous organizations in Ucayali is the lack of allies who can provide financial resources and technical support to advance the titling of more than 200 vulnerable indigenous communities.

AT THE LEVEL OF NATIVE COMMUNITIES

Native communities experience limitations related to access to information about the processes and the resources to follow them. They also face the ongoing challenge of monitoring vast communal territories to prevent invasions and illegal activities.

a. Limited information on physical-legal regularization processes

Community members, especially those in the most remote areas, have little knowledge of the physical-legal regularization processes (CIFOR, 2019; MICI & IDB, 2024)[17]. Many have low educational levels and limited proficiency in speaking, reading, and writing Spanish. This makes them vulnerable to deception by third parties seeking control over their territories. According to a SUNARP representative, in many cases, third parties take advantage of the situation to deceive and defraud communities and appropriate their territory.

b. Lack of resources for physical-legal regularization

Members of indigenous communities lack stable incomes and, in most cases, live below the poverty line, leaving them without the resources to pursue land recognition and titling processes. An Arawak leader describes this situation:

Going to the DRAU is quite an expense, because if you want to go, you have to spend in a ticket and a hotel in Pucallpa. And even if you manage to get there, there is no clerk available and they make you wait. In short, it's a waste of time. (Arawak Leader).

17 This lack of knowledge becomes even more pronounced in the case of forest-land use concessions contracts. A CIFOR (2019) study in Ucayali, Loreto, and Madre de Dios found out that only 15% of the population were familiar with these contracts, and the percentage dropped to 1% among women.

Furthermore, when overlaps occur, communities lack the financial or technical resources to compete with private landowners and/or companies. Leaders from ORAU, CONAP, and URPIA point out that mixed-race citizens and settlers have more resources to pursue legal proceedings, while Native peoples depend on funding from international cooperation. The situation is even more critical in remote communities, where communication is difficult. As an Iskonawa leader explains, they must move to specific areas where there is signal coverage to report threats and ask for help.

c. Limitations on monitoring and protecting large territories

Native communities span thousands of hectares yet have relatively small populations in proportion to their territory. This makes it difficult for them to monitor of all the activities taking place within their lands and leaves them exposed to invasions from multiple fronts. In many cases, they become aware of incursions when it is already too late.

Chachibai native community is an example of these constant threats to territory. As one of the leaders explains, the community covers approximately 25,824 hectares but has only around 30 residents who strive to monitor the area, failing to cover it all. The community borders groups of settlers who cultivate coca in the Aguas Negras and Patria Nueva areas and the Sierra del Divisor National Park. At the same time, it faces ongoing invasions by loggers in the areas adjacent to Callería and San Miguel. This situation is further aggravated by the migration of young people to cities in search of work and education opportunities, leaving communities even more unprotected against settler invasions and the proliferation of illegal activities.

d. Weakening of communal organization

Changes in community organization, together with the leadership of inexperienced youth, have weakened internal structures and created obstacles to the land titling process. As an Arawak leader says:

> "They weren't holding meetings; community organization was weakened because young people were taking on positions they weren't prepared for, or didn't know what their role was, or had no knowledge. Some were illiterate".

According to interviewees in Ucayali, this situation worsens when leaders who assume the presidency hold divergent views regarding the economic activities carried out in the territory. While one president may support initiatives such as oil palm cultivation, his successor might oppose them, generating discontinuity in the community's stance toward territorial negotiation and defense processes, including physical-legal regularization. The case of the Arawak native community is not unique. Iskonawa, Kukama, Asháninka, Kakataibo, and other communities experience similar situations.

3.2.3.2 Threats to the legal security of the territory

The indigenous peoples of Ucayali, like those in other Amazonian regions, face threats to their legal security that extend beyond the physical-legal regularization process. It is important to note that threats to territory and resources occur with or without community titles, and they are often perpetrated by illegal actors and facilitated by corruption networks that include state and private actors, settlers, and even some indigenous people.

THREATS FROM THE STATE

State institutions play a key role in ensuring the legal security of indigenous peoples' territories. However, in Ucayali, cases of corruption have been reported within the entities responsible for land titling, especially within the DRAU. In addition, both national and regional policies tend to favor agricultural and extractive activities, to the detriment of native communities and the conservation of their territories. Concessions granted to private actors, whether legal or illegal, continue to pose constant threats to the territories of indigenous peoples.

a. Corruption in state institutions

Several irregularities occur in land titling processes, particularly in cases of overlapping titles, which are often attributed to corruption within state entities (Castro, 2021; Ombudsman's Office, 2017). These irregularities are facilitated by aforementioned limitations, such as the absence of a unified and updated cadastral database (Ramon, 2019) and the limited financial and personnel resources available to carry out due diligence. In 2018, the Ucayali Criminal Prosecutor's Office and the Anti-Corruption Police arrested the director of the DRAU and the official in charge of land regularization and titling between 2016 and 2018 for alleged acts of corruption (Maceo, Tipula & Ríos, 2022).

The Chachibai native community, which is a titled community, is an example of multiple concessions granted within a communal territory.

> The community is titled, but they are within the community's titled territory. When we reported the situation, they told us that some engineers engage in corrupt practices; they get paid, so they do it. DRAU personnel are involved in corruption and they cause problems, not only to us, but this has happened in several places. (Iskonawa leader).

Indigenous leaders report that they often have to make informal payments to advance titling processes; in other words, it becomes a race in which those with greater financial resources secure the title first. A leader from the San Francisco native community claims that a palm oil company in Ucayali pays prosecutors and SUNARP officials to continue palm oil cultivation[18]. Similarly, a leader from the Atalaya province accuses officials of colluding with illegal actors:

> The problem lies with corrupt officials who make bureaucratic procedures more complicated. They favor those who can pay, such as land and drug traffickers. They have the money for the process. Unfortunately, to advance a land titling process or any administrative procedure, you need proper documentation, you need to comply with certain guidelines. And those who sell lands or are involved in illegal activities such as logging or coca cultivation have the financial and logistic resources to pursue the process, while indigenous communities don't. (Arawak Leader).

In this context, private titles and concessions overlapping with indigenous territories is a constant threat, and in the case of communities without titles or registration in public registries, the risk is even greater. As an IBC specialist observes, while lengthy physical-legal regularization processes are underway, "indigenous communities are being invaded".

18 According to information gathered in field interviews conducted for this report. The names of interviewees are withheld for security reasons.

b. Laws that favor agricultural and extractive activities

Successive governments, at both the regional and national levels, have promoted, in the name of economic development, policies and laws that ultimately undermine the legal security of indigenous peoples over their lands. According to ORAU and ProPurús (2025), individual landowners acquire land rights within significantly shorter timeframes than native communities, under the protection of the law and through much faster bureaucratic processes. While the titling of an individual property can take between six and nine months, the titling process for a native community may take several years or even decades, as is the case of the Unipacuyacu native community (Tuesta, 2022).

The most recent expression of these policy preferences is the amendment to the Forestry Law, which facilitates deforestation and legalizes invasions under the pretext of agricultural expansion. This stance reflects a development model that equates agriculture with progress, and is reflected in the current governors' support for settlers and Mennonites. As an IBC specialist reports:

> "The governor of Ucayali said, 'All my fellow countrymen come and build farms. He was quite open about it. Officials themselves promote the invasion of land that isn't being used".

A San Francisco native community member adds that the president of the Regional Government himself is an oil palm grower and promotes the entry of palm companies into the communities[19]. Furthermore, a URPIA representative claims that the Regional Government prioritizes forest concessions to receive forest royalties:

> "The GORE is issuing calls for logging companies to apply for the BPP because they prioritize forest royalties. They want logging companies to apply and pay. They don't care about native communities".

Road construction, promoted as a means of development, favors the occupation of land by settlers and farmers, as well as the expansion of illegal activities and land trafficking (Macedo, Tipula & Ríos, 2022). The ORAU & ProPurús report (2025) states that, in Ucayali, there are approximately 10,083.18 kilometers of forest-use and agricultural roads that have been built by private individuals, with the approval of the State.

The case of the UC-105 highway (Nueva Italia-Sawawo-Breu) illustrates how these roads facilitate illegal activities: "On the side of the UC-105 highway, eight clandestine airstrips and coca-growing areas have been identified within a range of 10 km, as well as the proliferation of forest-use roads that originate from and/or connect with the UC-105" (ORAU & ProPurús, 2025, p. 133). An AIDER representative says that the proliferation of roads fuels land trafficking, promotes the dispossession of untitled territories and attracts the plundering of resources.

19 According to information gathered in field interviews conducted for this report.

THREATS TO COMMUNAL GOVERNANCE IN INDIGENOUS TERRITORIES

In the territories of native communities, conflicts arise between clans of different ethnic groups, groups with opposing interests regarding economic activities, indigenous peoples and migrant settlers, illegal actors, or corporations. All seek to assert their control over the territory and its resources through the instrumentalization of regulations and laws, or through threats and murder.

a. Instrumentalization of the law to appropriate the territory

In communal organization, the board of directors is the legal representative of the native community as a legal person, and the agreements reached in the assembly, as the highest authority, must be recorded in minutes and be legalized. Those who hold board positions, especially the presidency, are often elected for their political skills, command of Spanish, and knowledge of the social norms and codes of the mixed-race society. In this context, interviewed community members state that higher education is highly valued, because in remote communities where indigenous peoples have had relatively little interaction with mixed-race society, a large portion of the population lacks proficiency in Spanish and shows high rates of illiteracy (INEI, 2018)[20].

As a result, indigenous people or settlers who arrive in the communities with some level of education become ideal candidates for these positions, which can be used for the appropriation of territory and resources. Initially, they present themselves as allies offering help to the community in obtaining land titles, bringing benefits and economic growth. Once they are established as authorities and legal representatives, they begin selling the territory, negotiating with illegal companies and actors, and threatening community members who oppose them. This has occurred in native communities such as Chachibai, Kukama Unida Ecológica, Paucarcito, Caimito, and many others.

In the Chachibai native community, a Shipibo man was appointed community president by the Iskonawa for his social skills and knowledge of legal processes. He promised to help them secure land titles and attract projects to the territory; however, once in office, he brought in his relatives and began making deals with logging companies, coca growers, settlers, and migrants from other indigenous communities, gradually selling off the territory. Although the Iskonawa objected, the State did not recognize their claims because this man is the community president and is registered in the public registries as their legal representative.

> The authorities say there's no problem because these Shipibo-Konibo people are legally recognized as members of the community's board. (Specialist).
>
> They have the legal documents; they are community authorities. They say they are the owners. When we started the community, my grandparents couldn't read or write, and they told us that they were our family because we are from the Pano linguistic family. 'We are going to help you, we will help you create the community," they said. They came in and saw the community's resources and took ownership (...) We couldn't formally file a complaint as a community because we weren't registered with the Public Registry; we didn't have a legal document as an authority. That's why they said we were impostors and why they listened to them. They had the legal documents, and we were nothing. In the eyes of the legal system, we were nothing. (Iskonawa leader).

20 Illiteracy affects 15.9% of the population who self-identify as Indigenous or native to the Amazon, compared to 3.9% among those who self-identify as white/mixed-race/other. Within the population groups analyzed, illiteracy is higher among women: 21.2% for the Indigenous or Native population of the Amazon and 5.5% for the white/mixed-race/other population (INEI, 2018).

Another way in which decisions regarding the territory are manipulated is through the falsification of legal documents, such as deeds, by these authorities and power groups with legal recognition. This has been evident in the San Francisco and Kukama Unida Ecológica communities, regarding deals with logging companies:

> Pacay falsified all the documentation, they forged the notary's seal and everything related to the 1,600 hectares. When the Public Registry became aware of this, a criminal investigation was opened and Notary Salazar confirmed that the signature was not theirs. It's all fake. (Kukama leader).

This case is not the only one; according to the SUNARP representative, it has become a common problem in the region.

Likewise, the creation of associations has emerged as another mechanism to exploit the law and appropriate land. In recent years, SUNARP has observed an increase in the formation of community associations seeking to enter into contracts with companies. This occurs because community bylaws do not allow, or the assembly does not approve, the transfer of a certain number of hectares for oil palm plantations. In these cases, associations, as legal persons, can enter into contracts with companies, apply for loans and projects, among other things.

An example of this is the case of the San Francisco native community, where a group of community members formed a farmers' association to be able to enter into agreements with a company from Ucayali after the community refused in an assembly to allow its activities on the territory[21].

> The palm growers' association is made up of 120 members from the San Francisco community. The association was created recently because the population had said they wouldn't let the company in. There have never been farmers or palm growers in San Francisco. I don't know where they brought that palm from. Now they're supposedly clearing the five hectares that the people of San Francisco gave them. But this isn't in the bylaws. They're doing it behind the people's backs. (Community member).

Another form of exploitation of legal instruments is the "donation" of land by communities. According to the law, communities cannot sell their land, but "in some cases, communities donate, or rather sell, but claim it is a donation" (Specialist, AIDER). This ambiguous concept is exploited by land traffickers, companies, and individuals engaged in illegal activities.

> Native communities cannot manage (donate/sell/transfer, etc.) land because it's communal property, because the life of a legal person is the community itself. But I've seen cases where they've sold their land. There's no legal impediment. If the General Assembly agrees by a majority, they can do so. Native communities regulate everything in their bylaws, which are v very important because everything stems from them. From a registry perspective, there's no restriction on managing the land. (Operator, SUNARP).

Criminalization through complaints of illegal logging, illegal mining, and drug trafficking is also used by those who occupy community lands and, paradoxically, are engaged in such activities. Such is the case of the Chachibai native community (CCNN), where members who oppose the entry of logging companies have been charged with illegal logging:

> The Mori have reported us, but we have also reported them because they have attempted to sell our land. They have changed the community bylaws so they can sell the land. Last year, they reported us again to the prosecutor's office for illegal logging. (Iskonawa leader).

21 According to information gathered in field interviews conducted for this report.

In short, indigenous territories are exposed to the proliferation of manipulated or fraudulent legal mechanisms. On the one hand, these mechanisms are used to secure control over the land through governing bodies and facilitate contracts and transactions through the creation of associations and land donations. On the other, they are used to accuse and report community members who oppose the sale and exploitation of their territory.

> Indigenous people have learned to compete on unequal terms. As several leaders said a few years ago, "that's what the mestizos [mixed race] teach, bad things, negative things." This dynamic has led to internal divisions, with members creating their own organizations. It's as simple as that. The same situation happens with ORAU (of AIDESEP) and ORNAU (of CONAP), which have also become divided. Their leaders file complaints against one another. They've learned legal tricks to justify illegal actions before the State. (Specialist).

b. Community fragmentation and corporate influence

The presence of outsiders, whether other indigenous people, settlers, companies, or illegal actors, creates divisions within communities, which in many cases result in confrontations and even the separation of the group and the creation of new communities.

Native communities such as San Francisco and Uchunya are representative examples of this type of fragmentation. A company from Ucayali entered the communities in alliance with some leaders, offering loans for oil palm plantations. This generated divisions among community members and the creation of a farmers' association with which the company made deals despite opposition from the rest of the community[22].

> This man, behind the community's back, took his 120 people and gave each of them 5 hectares. They're already bringing wood to build their houses. This hasn't been approved by the assembly. We're in a critical situation and no one in the community can do anything. These people say it's legal, that they can do whatever they want. (San Francisco Community member).

These circumstances have negative consequences for family relationships within the community and affect the mental health of community members. One female community member says that, ever since the company entered and promoted this division, they all live in a constant state of mistrust, and no outsider can now enter the community without being reported.

22 According to information gathered in field interviews conducted for this report.

c. Exploitation of communities' economic needs by companies

Some companies offer economic benefits, capitalizing on the needs of community members, who lack stable incomes or access to decent job opportunities. This dynamic operates within a structural context in which indigenous peoples find themselves in an unequal position, shaped by the historical exploitation of resources and people, rooted in the conception of the Amazon "as an inhospitable, unproductive space whose resources are not duly exploited" (Baldovino et. al., 2009). This pattern dates back to the rubber and Caspi milk booms at the beginning of the 20th century and continues today with the extraction of gold, oil, Camisea gas, timber, and the expansion of agricultural lands today (Chirif, 2017; Casement, 2012).

Such is the case of the San Francisco native community, where some members engage in oil palm cultivation out of economic necessity.

> The truth is that the community is divided. A group of people, almost half of the population, began planting oil palm because there are no jobs, no opportunities for economic growth, and many unmet needs. So half of the people saw the need to plant palm trees and work with a company. Teachers can at least afford a kilo of rice, but those who don't work for the State or a company suffer the most. That's why a group of leaders said they should plant palm trees to benefit the community and generate economic development. (San Francisco community member).

In the Chachibai native community, a logging company entered during the pandemic and took advantage of the community members' extreme need, handing out sacks of rice in exchange for wood:

> The company did ask for permission, and we agreed because we had nothing to eat at the time; it was during the COVID-19 pandemic. The company gave each family a sack of rice and a sack of sugar, and that's how they convinced them. (Chachibai community member)

Through such arrangements, companies take control of parts of the land with the support of the segment of the population that favors them. Such was the case of the Kukama Unida Ecológica native community, where members can no longer move freely throughout their land due to threats from palm oil company employees, who even restrict the access to state authorities.

THREATS FROM COMPANIES

In addition to generating divisions within communities, companies collude with regional government officials to obtain concessions and even use indigenous peoples to create and title native communities and thus extract timber resources.

a. Bribery and collusion with state entities

Companies usually pay regional government officials to favor them in granting concessions. A report by Aramís Castro for Ojo Público (2021) analyzed documents from environmental prosecutors' offices in Loreto, Madre de Dios, and Ucayali, initiated between 2013 and 2018, which implicate the alleged responsibility of 42 public officials in acts related to deforestation, land trafficking, and timber trafficking. The accused held various positions: directors, technical officers, police officers, lawyers, engineers, and other specialists from regional governments. This is an expression of institutionalized corruption.

> There's complicity between palm oil companies, palm oil growers in general, and government officials. It's a mafia. Unfortunately, corruption is rampant in our country. There are good officials, but there are also bad ones, and they [companies] either offer large amounts to politicians or ask for favors because they are friends. Who really finances regional governments or district municipalities? The companies, the cooperatives. And that's what fuels these problems within indigenous territories. (Leader, ORAU).

b. Creation of native communities or ghost communities with the support of companies

With the migration of settlers to the Amazon, the number of land titling applications from native communities backed by external funding —also known as ghost communities— has been increasing. These applications are formally submitted by indigenous people, but behind them are agricultural (oil palm) companies or associations of Andean migrants with interests in timber extraction or coca cultivation (ORAU & ProPurús, 2025).

This practice is especially common in the case of logging. As an Arawak leader explains, loggers often target untitled territories rich in forest resources and help communities obtain titles:

> Lately, we've seen that one of the strategies loggers use is to find a community that isn't titled and use their own money to become part of that title, but with the goal of extracting timber within that territory.

THREATS FROM SETTLERS AND ILLEGAL ACTIVITIES

Native communities are invaded by settlers from the Andean region and other Amazonian regions seeking land and resources. These settlers often have a different worldview and relationship with the territory, clearing large tracts of forest to demonstrate their "work" and claim ownership rights, arguing that indigenous people do not need extensive lands or are not making productive use of them (Rosa María Montes, 2022). They enter communities using different strategies: making deals with community members to obtain parcels of land, seeking out untitled communities, or marrying indigenous women from to acquire rights and later bringing in their fellow countrymen.

In native communities such as Chachibai, San Francisco, and Santa Clara de Uchunya, palm oil and timber companies make deals with certain community groups —either through decisions made in assemblies in accordance with community bylaws or through associations— to exploit the resources. These agreements are subsequently endorsed by the DRAU, which grants them ownership titles.

Another strategy employed by migrants, according to ORAU leaders, involves reviewing public records to find untitled areas where they can settle:

> Now the strategy is to check in the area, in the public registry, or in the agricultural sector to see if some particular land is titled. If it isn't titled, then they can easily enter. That's a major problem, and even more so now with the threats and the murders.

These dynamics also affect communities that are already recognized and titled, but whose titles have not yet been registered in public registries.

Due to the growing presence of migrants in Amazonian regions, the social and cultural makeup of indigenous peoples has undergone significant change. Alliances have been established between mixed-race and indigenous populations not only for economic purposes but also through kinship. Unlike in previous generations, where marriage to outsiders was prohibited, many mixed-race individuals working in the area now marry indigenous women, acquire rights as community members, hold leadership positions, and become authority figures, often due to their education, business knowledge, and different views on land use. Unfortunately, in many cases, these individuals engage in illegal activities such as coca cultivation, illegal mining, and illegal logging, bringing more outsiders into the community.

Among the settlers' activities within indigenous territories are coca cultivation[23], illegal logging, and illegal mining, all of which bring insecurity and violence. Those involved in these activities enter territories through invasion and intimidation, but also through deals with communities, promising economic benefits, which are welcomed given the prevailing conditions of poverty.

> Drug trafficking has practically flooded Ucayali, the district of Sepahua, Purús, Atalaya (...) Unfortunately, due to the lack of state presence and social programs, perhaps this has also created a vacuum that allow our brothers and sisters to be, so to speak, influenced negatively. Often, outsiders arrive and, by force, begin planting crops, or they recruit our indigenous brothers and sisters, using them as accomplices in these illegal activities. (Prosecutor's Office for Interculturality and Human Rights).

According to the representative of the Prosecutor's Office for Interculturality and Human Rights, state authorities are often perceived as the enemy compared to coca growers and miners, because their intervention threaten communities' livelihoods. In a context of economic hardship and scarce job opportunities, informal labor, gold

23 Coca growers come from the VRAEM area (Cabieses, 2022).

mining, timber extraction, and coca cultivation become virtually the only available means of generating income.

> They [authorities] come to destroy logistics, machinery, crops. Often, communities don't react as expected because they're also involved in such illegal economies. Many indigenous communities don't allow authorities in because they see them as the ones spoiling everything. They think, "You come to destroy, while mining companies have at least built a school. (FEMA).

The State has proven unable to curb the spread of illicit activities. Even when clandestine drug trafficking airstrips are destroyed, they quickly reappear, and coca crops eradicated by the Control and Reduction of Coca Cultivation in Alto Huallaga (CORAH) are simply relocated to other areas.

It is important to note that the coexistence of community members with loggers, miners, and coca growers —and in many cases, their consent for them to work within the territory in exchange for money, or their own participation in such activities, does not imply cordial or violence-free relations (Lazo et al., 2024). On the contrary, these relationships are marked by tension, threats, and intimidation. For example, in the Kakataibo communities, Montes (2022) reports that community members are threatened by hitmen who patrol the territory reminding them "not to be snitches".

DEATH THREATS, INTIMIDATION AND MURDER

The pressure exerted by multiple actors to gain control over territory and resources has resulted in threats and murders motivated by both legal and illegal economic interests. Interviewees reported that threats within communities come from other indigenous people, settlers, and hitmen hired by mafias.

For instance, the Chachibai native community is threatened by a Shipibo family that legally controls the community and makes deals with loggers. They are harassed through text messages and phone calls, and are intimidated at their homes; one of their leaders was even shot. As a result, some Iskonawa members have left the community for safety reasons. In Puerto Inca, located on the border of the Huánuco and Ucayali regions, illegal mining and collusion with indigenous and state authorities have placed the population in a state of subjugation. Residents are stripped of their lands and threatened with expulsion or death if they protest. Like in Chachibai, part of the population has relocated to the city out of fear. Likewise, a leader of the Kukama Unida Ecológica native community recounts how a palm oil company, in alliance with another indigenous group, expelled them from their territory and restricted their movement through death threats.

> They were going to kill us all. That night, in the middle of the forest, we were sitting hidden among the wood, and there was a huge snake. It was 9 p.m. and they had orders to kill us, and they would have done so if we hadn't gone through the ravine. (Leader, Kukama Unida Ecológica native community).

SYSTEMATIC LAND TRAFFICKING

The value of indigenous territories and their resources attracts a wide range of actors and interests. This situation, combined with weak regulations on land ownership, limited state presence in the Amazon, and the absence of up-to-date and comprehensive data on communities and lands (UNODC & USAID, 2024), has facilitated the proliferation of an illegal land market. This market operated through the systematic use of state land titling mechanisms to incorporate land into commercial circulation and obtain economic benefits. This process involves the occupation of land, the promotion of administrative titling procedures, and the subsequent sale of property, with greater intensity in areas where infrastructure projects are planned or land value is expected to increase (ORAU & ProPurús, 2025).

Land traffickers exploit legal loopholes to acquire and resell land. Their strategies include forming associations with indigenous peoples and settlers, transferring or selling land to multiple parties to hinder traceability, and obtaining land titles through the DRAU. Titles are often transferred several times to make it difficult to track ownership and prevent the reversal of fraudulent titles. According to an AIDER representative, this occurs because the DRAU lacks the capacity to annul so many irregular titles, and the law favors the most recent titleholders.

Land trafficking is a systematic phenomenon. Organized structures are established to obtain state land and profit from it by manipulating the titling process and then sell lands to the highest bidder. At the center of these operations are the DRAUs (Macedo, Tipula & Ríos, 2022; ORAU & ProPurús, 2025). Land traffickers seize property through possession and permits for agricultural activities within the territories of native communities, many of which are titled but not registered in public registries. This legal gap serves as an excuse for GOREs to claim that the land in unoccupied.

3.2.4 CONFLICTS RELATED TO THE PROTECTION OF THE TERRITORY

Conflicts in the territory arise from overlapping rights. According to CIFOR (2019), in Ucayali, three out of five titled communities failed to complete the land registration process. Some of the most emblematic conflicts, presented in the ORAU and ProPurús report (2025), are the following:

Oil palm growers and Santa Clara de Uchunya native community

The Santa Clara de Uchunya native community is in conflict with the company Plantaciones de Pucallpa S.A.C, which occupies 7,000 hectares claimed by the community as part of its ancestral territory. In 2012, the company established operations within lands that the community had long claimed following the acquisition of a 6,845.43-hectare property which was completely covered by primary forest at the time[24]. Later, through dealings with the Las Palmeras de Tibecocha Agricultural Producers Association, it irregularly obtained 222 plots within the ancestral territory[25].

Santa Clara de Uchunya has undertaken various legal actions to defend its territorial rights, including a constitutional relief lawsuit against the Ucayali Regional Agriculture Directorate —declared inadmissible in 2022—, criminal complaints for usurpation —dismissed in 2024—, and international appeals before the IACHR resulting in precautionary measures in 2020. Meanwhile, Ocho Sur, a palm oil company in Ucayali that acquired assets from Plantaciones de Pucallpa, defends the legality of its public auction acquisitions, denies accusations of illegal deforestation, and claims to implement sustainable practices. Nonetheless, it continues to face renewed scrutiny for its alleged involvement in internal community disputes and the use of discredited former indigenous leaders as informal spokespersons[26]. Although community members report a recent decrease in threats, they attribute this apparent calm to the pressure generated by their own legal actions and the international visibility of the case, rather than to effective interventions by the Peruvian state.

Mennonite colony in Masisea

A Mennonite sect settled in Masisea in 2016 with its agricultural development model based on high-intensity farming using agricultural machinery and agrochemicals. They acquired approximately 2,000 hectares of land, many of which belonged to the Caimito, Dinamarca, and Buenos Aires Native Communities, all part of the Shipibo-Konibo people. The transaction, registered in the Public Registry, shows that the sale was carried out by former municipal authorities, local farmers, and former DRAU officials.

By the end of 2020, the affected communities confirmed that the Mennonites had deforested more than 800 hectares, many of them on communal land. The group is currently seeking economic agreements with the communities to halt lawsuits for invasion and usurpation of communal lands. Despite clear evidence, testimonies, and complaints from the population, the case against the Mennonites faces several obstacles. They have appealed the administrative proceedings that would require them to pay civil reparations to the State for unauthorized deforestation. Moreover, the Regional Agriculture Directorate has repeatedly attempted to pressure the communities into relinquishing their rights to the lands invaded by the Mennonites. The georeferencing process, for its part, has experienced so many delays that, more than a year after the work began, the Ucayali DRA has yet to complete the corresponding reports.

24 According to investigations by Ojo Público and Proética with Convoca, Ocho Sur acquired the assets of Plantaciones de Pucallpa. See https://pulitzercenter.org/es/stories/los-vinculos-de-ocho-sur-con-la-proveedora-de-aceite-de-palma-de-la-multinacional-pepsico; and https://www.proetica.org.pe/wp-content/uploads/2021/03/los-negocios-de-la-deforestacion.pdf

25 According to information gathered in field interviews conducted for this report.

26 According to information gathered in field interviews conducted for this report.

Israelite settlements

The Evangelical Missionary Association of the New Universal Pact (AEMINPU), known as the Israelite sect of the New Pact, is one of the groups most aggressively promoting the colonization of remote areas of the rainforest. In Ucayali, reports indicate that Israelite settlements guarded by highly-armed men intimidate visitors or neighboring communities, sometimes under the pretext of protecting their livestock (ORAU & ProPurús, 2025). This has been documented in areas near the Samaria Native Community, adjacent to the El Sira Communal Reserve (RCES). The Israelites' territorial claim in El Sira is based on the assertion that they settled there prior to the creation of the communal reserve, establishing two settlements.

Members of indigenous communities have denounced the construction of a road connecting Santa Cecilia, Jerusalem, and Iparía through the RCES, a project on which they were not consulted and which could have negative impacts. This road, which would ultimately connect Puerto Inca with Iparía, threatens the integrity of the protected area and facilitates illicit activities in the region, such as drug trafficking, deforestation, and illegal mining.

Cametsari Native Community Quipatsi

The case of the Cametsari Quipatsi native community illustrates the tensions between indigenous territorial defense and the expansion of illegal activities in the Peruvian Amazon. Threats against its authorities, particularly against the president of ACONAMAC —ORAU's grassroots federation— who opposed activities, reached a critical level, forcing them to make an urgent protection request to the Ministry of Justice and Human Rights in September 2024. This situation reflects broader issues affecting the community, including the presence of coca cultivation and drug trafficking throughout the basin. In response, the community has sought to strengthen its territorial protection mechanisms, as evidenced by its request for recognition by the Community Forestry Surveillance and Control Committee submitted in January 2019.

3.2.5 PERCEPTION OF THE LEGAL SECURITY OF THE TERRITORY

Indigenous organizations and native communities report a persistent lack legal security, as they live under constant threat and distrust the State.

Their main concerns stem from the invasion of their territories for the illegal extraction of natural resources by third parties[27], facilitated by the State's weak response to protect them (Tipula, 2022) or even to mediate the conflicts exacerbated during the titling process, as well as by the instability and lack of exclusivity of the rights granted (CIFOR, 2019). As seen throughout this report, holding a land title does not prevent illegal activities or invasions in indigenous territories.

Furthermore, indigenous peoples argue that the State seeks to eradicate them by dispossessing them of their land, using the law to do so. According to a CIFOR study (2019) in Ucayali, community members acknowledge to be aware that subsoil rights belong to the State, which represents a future risk due to the likely granting of extraction permits to oil companies without prior consultation. Added to this is the uncertainty regarding use contracts, as they fear their rights could be revoked at any time.

> The laws are actually making us more vulnerable. It's concerning that many legislative decrees and regulations continue to dispossess indigenous peoples of their ancestral lands in favor of the government's economic interests. This affect us deeply, because without our territory, we are not indigenous peoples and we'll continue to disappear. We've seen this happen in many indigenous communities. The Congress keeps passing more and more laws, such as the APCI Act or the Anti-Forestry Act. (Leader, ORAU).

There is also widespread awareness of the corruption of regional authorities, who grant concessions and private land titles in indigenous territories while simultaneously obstructing the titling processes of native communities. Furthermore, several private and state actors are also involved in illegal activities. Because of this, many communities feel that reporting such activities to state institutions is futile because, instead of protecting them, it exposes them to further risk of retaliation.

> Coca growers and loggers are allowed to open the road because they maintain friendly relationships with the municipality, and the Regional Government later paves the road that's already cleared. We see this with the Nueva Italia highway, which was built by loggers. What is the government doing? It's trying to pave an illegal road. (ORAU).

Faced with this situation, indigenous organizations recognize the need to strengthen their governance and defend their territory and their lives. To do so, they now have more tools, including indigenous professionals who can support their brothers and sisters in the titling process —unlike the past, when ignorance was exploited by third parties to appropriate their territory.

> It's a problem of governance within the community and the organization. We know how the State acts when it comes to communities and organizations, so we don't expect anything specific from them. To strengthen our governance and our territorial self-control mechanisms, we will demand respect for our territorial spaces. We must fight; there's no other option. We won't let them kill us. No one but us will defend our territory, our lakes, our forests, because that's what guarantees our survival and that of future generations. (Leader, ORAU).

27 In Ucayali and San Martín, CIFOR (2019) found that 83% of reported conflicts occurred with people outside the community and less than half (47%) were resolved.

In communal territories, vigilance committees and indigenous patrols have been created and organized to monitor and defend their lands. It should be noted, however, that they lack the resources to carry out surveillance in such vast territories in the face of numerous threats. The number of community members is quite small relative to the size of the territory, as is the difference in weaponry used for protection.

> We need to strengthen our self-protection mechanisms. They have long-range weapons, and we have shotguns, bows, and arrows. Facing these rather disadvantageous circumstances puts us in a difficult situation, and we have to turn to other types of organizations, as our brothers from the self-defense committees did when they fought terrorism. (Leader, ORAU).

However, despite these challenges, land titling holds a symbolic meaning and represents a form of vindication for indigenous peoples. A CIFOR study (2019) notes that, for community members, the beginning of the titling process marks the State's initial recognition of their land rights, as the first stage of demarcation legally establishes boundaries, which serve as a reference for the defense of territorial rights. The survival of indigenous peoples' cultural identity is tied to their territory (Tuesta, 2022).

> Territorial rights should not remain merely a statement or a written expression. We need this right to be reaffirmed. We need this right to also be established as a strategy to guarantee the lives of indigenous peoples. I believe that by reestablishing the right to territory, we give hope to indigenous peoples, to the next generation, and especially to the cultural practices that have been increasingly lost. It also gives us hope to reclaim those territorial and cultural rights. (Leader, ORAU).

3.2.6 CONSEQUENCES OF THE LACK OF LEGAL SECURITY IN NATIVE COMMUNITIES

The lack of legal security has multiple implications for the lives of indigenous people. Invasions affect livelihoods and cause displacement, either through the loss of forests or through direct threats. Coexistence with settlers also brings sociocultural changes, which some identify as a loss of culture and values. Illegal activities, meanwhile, lead to violence and, in the case of drug trafficking, encourage drug use among young people.

Loss of livelihoods due to territorial degradation

The proliferation of monoculture agriculture and illegal activities withing indigenous territories has led to the loss of livelihoods due to deforestation, damage to farmland, and pollution. State actors and community members alike report cases of water contamination caused by gold mining and cocaine paste processing, as well as forest loss due to illegal logging, oil palm cultivation, and coca crops. In Ucayali, 61% of community members participating in a CEDIA study (2019) documented having lost forested territory, which affects them through the loss of hunting and fishing resources. As a leader of the Chachibai CCNN explains: "There are maceration wells that contaminate the stream we drink from; the pollution descends into that stream".

Violence and expansion of illegal economies

The presence of illegal economies such as mining, logging, and coca cultivation generates violence and keeps the population under constant threat. Leaders of the Arawak, Shipibo-Konibo, Kukama, and Iskonawa peoples report that murders in coca fields are common, as are threats from hitmen warning them "not to be snitches." Similarly, Montes (2022) points out that the Kakataibo feel helpless, forced to endure the abuses and outrages caused by drug trafficking. A CONAP representative warns that Atalaya is becoming the new VRAEM, following in the footsteps of contract killings and extortion.

> Drug trafficking brings intimidation and violence; people have to stay silent. There are killing going on. If you file a complaint, you could disappear. That's why indigenous leaders are being murdered. It's one of the reasons. Why do you think Santiago Contoricón was killed? (Leader, CONAP).

These illegal economies also appear as alternatives in a context of limited access to formal and decent employment opportunities for young indigenous men and women. As a result, many engage in coca leaf harvesting (raspa), timber extraction, and mining, while women often work in bars providing sexual services or as cooks in coca-growing and mining camps (Lazo et al., 2024; Arredondo et al., 2024).

The expansion of these economies, coupled with the opening of roads and highways, facilitates the entry of outsiders into the communities and increases the risk of human trafficking. A Sawawo leader recalls attempts to take children from the community:

> Outsiders engaged in these activities come through the new roads and take children with them. Along the trails being built, stranger we don't even know where they come from are constantly passing by and once, we saw them taking children.

Gender-based violence

The presence of external actors and extractive —often illegal— economies brings specific types of violence against women. The demand for entertainment in areas of extractive activity —particularly mining—, creates conditions conducive to sexual exploitation and the trafficking of women for sexual and labor purposes. Studies such as those conducted by Promsex, within the framework of the No More Invisible Women Project, have shown how mining areas such as La Pampa in Madre de Dios operate centers of demand where young women, girls, and adolescents are subjected to sexual exploitation in precarious conditions, without access to basic services and under constant threats of violence. This situation is facilitated by the lack of state presence, local corruption, and the impunity that characterizes these crimes (Astete & Guerrero, 2022; Arredondo & Ríos, 2024). These studies highlight that illegal mining not only destroys the environment but also perpetuates cycles of violence and human exploitation, turning affected regions into high-risk areas for vulnerable populations.

Moreover, it is not only mafias or human trafficking and illegal mining networks that recruit women for sexual exploitation. In a context of extreme economic hardship, state instability, and the vulnerability of indigenous peoples, the sale of sexual services becomes a source of income within the family economy. Mujica and Cavagnoud's (2011) study of the mechanisms of sexual exploitation of girls and adolescents in the vicinity of the Pucallpa river port reveals that sexual exploitation in these spaces is often managed by women themselves and embedded in logics of care and kinship.

> Unlike male pimps, women playing this role embody a form of tutelary control over those they manage: a figure that merges the identity of a mother/godmother/aunt who protects her daughter/goddaughter/niece as a family member, with the role of exploiting her through the sexual services she provides. This dynamic is not generally thought of as a professional pimp's business, but rather as a family business, which involves exploitation under the guise of guardianship/care. (Mujica & Cavagnoud, 2022, p. 102).

Furthermore, the arrival of new actors increases the risk of sexual violence within communities, along roads, and in generally unmonitored areas, while also distorting traditional forms of alliances among indigenous peoples. Interviewees report that many mixed-race men become engaged to young women and are accepted by their families, only to abandon them shortly thereafter, or commit violence against them, fueled by alcohol consumption and discriminatory prejudices toward indigenous peoples.

Forced displacement due to loss of livelihoods and threats linked to illegal activities

The loss of resources essential for survival and the constant threats have led to the displacement of indigenous people. As one Kurama leader explains: "They've lost crops, they've lost cacao, they can't live in peace. My farm is over there [in the community]. We, as the original owners, should live in peace, but we have to go away to live." Like this leader, many community members have been forced to leave their communities to survive.

Fines for deforestation and timber laundering

Several native communities have been fined the alleged improper use of forest resources. Loggers exploit forest permits granted to communities to launder timber resources extracted from other territories, including protected —therefore prohibited— forest areas. As a result, it is the native communities who are sanctioned by the State with multi-million-dollar fines. According to a study conducted by ORAU and ProPurús (2025) on environmental defenders, the debts accumulated by communities in the Amazonian regions amount to more than 51 million soles.

> Let's say some native community registers that 100 tornillo trees will be harvested. Then OSCIFOR inspects the site two years later and detects irregularities —for example, the trees haven't been harvested, or the area where the trees were registered for harvesting was a pastureland and no such trees existed. When harvesting occurs after the community has signed a contract with a third party or a specific company, the community is still the one that is fined. (FEMA).

Sociocultural changes

Indigenous peoples have experienced, and continue to experience, violent transformations in their ways of life. Cultural exchange with settlers in their territories has introduced practices such as the manipulation of laws, participation in and encouragement of illegal activities, alcohol and drug use, and the loss of languages and collective mentality.

As explained in previous sections, some indigenous people have manipulated legal frameworks to seize territories and make deals with settlers engaged in illegal activities. This occurs in a context where such activities represent short-term income in the absence of legal opportunities and income sources. Furthermore, the expansion of drug trafficking and youth labor in the raspa has contributed to drug use problem, particularly among young men. As a leader of the Chachibai native community explains: "Some are using the product, the paste, the cocaine. I have seen it in the communities of Callería, Patria Nueva, Saposoa, Rimbare, and also in the San Miguel rural settlements. They become violent".

Coexistence with mixed-race populations and intermarriage have also meant the loss of culture, most clearly visible in the abandonment of indigenous languages in favor of Spanish. A CONAP leader recounts that Spanish-speaking partners of indigenous people sometimes prohibit their children from speaking their Native language because they consider it inferior and unnecessary:

> My father forbade my mother to speak Shipibo because he wanted me to be like him, a Spanish speaker. I've also seen that among Andean people. Some parents refuse to let their children learn their language.

Cultural change is also evident in daily practices such as diet, which has shifted from reliance on hunting and fishing to the consumption of market products.

Moreover, transformations in mindset are altering indigenous views on territory, collective ownership, and harmonious relationships with the environment, which are becoming extractive and individualistic. An Arawak leader warns that mixed-race people who come from settlements and other communities to create division and persuade members to engage in individual work and illegal activities.

> They come from other communities and settlements to create division, convincing people to take up individual work or illegal activities, and persuading them with alcohol and sex. Others go to communities adjacent to settlements to plant ideas about jobs that only serve personal gain, not the community. They offer money, say they need to harvest wood, build a clandestine airstrip. That's the threat we face here in Atalaya. (Leader, Arawak)

In short, the multiple obstacles and threats that indigenous peoples experience in defending their territory have dire consequences for their survival and that of their culture. Despite efforts to protect themselves from invaders, corporations, and illegal actors, such as the creation of surveillance committees and land titling initiatives, territorial pressure continues to intensify alongside institutionalized corruption in the Ucayali region. The most tragic manifestation of this situation is the murder of 29 environmental defenders in the Peruvian Amazon (MAAP, 2024).

3.3 INDIGENOUS PEOPLE DEFENDING THEIR TERRITORY

Indigenous peoples in Peru endure structural and historical discrimination. This is reflected in the precarious living conditions of native communities —marked by deficient health, education, and justice services, as well as inadequate infrastructure— and the existence of laws that favor private actors engaged in the production and/or resource extraction over indigenous peoples and their collective rights. In this context of state neglect, indigenous men and women are compelled to take on the defense of their territories themselves.

This section analyzes of the situation of indigenous environmental defenders and their communities. It addresses four main aspects: first, it defines who indigenous defenders are in the Peruvian context, highlighting their role in safeguarding collective and territorial rights; second, it describes the national current situation and focuses on the specific case of Ucayali, emphasizing the predominant types of threats and emblematic cases that reveal structural violence; and finally, it examines existing protection mechanisms, with particular attention to the State's Intersectoral Mechanism.

3.3.1 WHO ARE INDIGENOUS DEFENDERS IN PERU?

In the Peruvian context, the term indigenous defenders refers to individuals who, as members of an indigenous or Native people, dedicate their efforts to protecting and promoting the individual and collective rights of their communities. These defenders play a fundamental role in safeguarding ancestral territories, conserving the environment, preserving indigenous culture and identity, and pursuing social justice (USAID & Oxfam's Prevenir Project, 2024) .

Although the Peruvian legal system does not provide a specific definition of indigenous defenders, it does recognize the broader category of human rights defenders. Supreme Decree No. 004-2021-JUS —which creates the Intersectoral Mechanism for the Protection of Human Rights Defenders— defines them as "natural persons acting individually or as members of a collective, ethnic-cultural group, organization, public or private entity, as well as legal persons, groups, organizations, or social movements, whose purpose is the peaceful promotion, protection, or defense of individual and/or collective human rights, within the framework of national and international law".

For its part, the Ministry of the Environment has defined environmental defenders as "natural persons acting individually or as members of a collective, ethnic-cultural group, organization, public or private entity, as well as legal persons, groups, organizations, or social movements, whose purpose is the peaceful promotion, protection, or defense of the right to a healthy and sustainable environment, within the framework of national and international law".

AIDESEP's Indigenous Defenders Program emerged as a response from the Indigenous movement to the current context of the Amazon, marked by invasions, threats, criminalization, and murders. AIDESEP adopts a broader understanding of defenders as leaders who fight for the respect of their fundamental rights and for the Amazon itself[28].

Based on these institutional definitions, and in the absence of a precise legal one, an indigenous defender can be understood as a member of a native community or indigenous people who, individually or collectively, acts in defense of their community's rights. This includes protecting territory, defending the environment, promoting indigenous culture and identity, and fighting for social justice.

The work of indigenous human rights defenders is essential for strengthening democracy, the rule of law, and the fight against impunity. This work often takes place in highly conflictive and dangerous contexts, especially in areas where tensions arise from illegal mining, logging, coca cultivation, drug trafficking, and land trafficking. These conditions significantly heighten the risks faced by defenders and their communities (Orau & ProPurús, 2025).

At the international level, the United Nations has recognized the critical role played by human rights defenders and has urged States to adopt effective measures for their protection. Similarly, the Inter-American Court of Human Rights, in Advisory Opinion No. 023/17, emphasized the particular vulnerability of indigenous peoples and affirmed that States have a duty to ensure their access to a dignified life. This includes protecting their close relationship with the land and respecting their life plan, both individually and collectively (IACHR, 2017).

28 See https://aidesep.org.pe/wp-content/uploads/2024/05/Cartilla_defensores-AIDESEP.pdf

3.3.2 SITUATION OF INDIGENOUS DEFENDERS AND THEIR COMMUNITIES

The situation of indigenous environmental defenders in Peru is deeply concerning. In many regions, especially in the Amazon, entire communities confront constant threats related to illegal activities such as logging, mining, drug trafficking, land trafficking, and the presence of organized crime, which operates with impunity. These threats generate a permanent climate of insecurity and uncertainty for the individual and collective lives of communities (USAID & Oxfam's Prevenir Project, 2024) .

Faced with this situation, community leaders and members have assumed an active role in defending their territories and collective rights, becoming indigenous defenders. According to data from the Ministry of Justice and Human Rights (MINJUSDH) as of January 2025, between 2019 and 2024, more than 650 human rights defenders and their families have been identified at risk nationwide (MINJUSDH, 2025). Likewise, 57 murders of environmental defenders have been reported, most of them in Amazonian regions. Ucayali stands out as the most affected region, with 93 people at risk and 11 murders (MINJUSDH, 2025; ORAU & ProPurús, 2025).

Across the country, the highest number of reported murders has occurred among the Shipibo-Konibo people, followed by the Kakataibo and Asháninka peoples (MINJUSDH). However, the situation of the Kakataibo people is particularly alarming, given the high proportion of victims relative to their total population (ORAU & ProPurús, 2025). Furthermore, official data show that men are five times more likely to be threatened than women (MINJUSDH, 2025). However, indigenous women defenders face specific and aggravated risks due to gender, including violence, stigmatization, and lack of institutional recognition or support (UNODC & USAID, 2024; USAID & Oxfam Prevenir Project, 2024).

The number of human rights defenders at risk has grown significantly in recent years: from just seven cases reported in 2019 to 61 in 2023 and 28 in 2024 (ORAU & ProPurús, 2025). Nonetheless, many defenders have not been formally recognized by the State, which prevents them from accessing protection measures. The registration of women defenders is particularly low, despite their active participation in territorial defense. This invisibility reflects women's limited political representation within communal and indigenous organizations. Although their participation is increasing, it still does not match that of men, who are recognized as representatives of indigenous peoples and therefore as territorial defenders. This gendered imbalance translates into scarce information on women defenders.

Interviews conducted for this research indicate several reasons for this lack of recognition. On the one hand, as reported by the interviewees, some defenders prefer not to report threats due to distrust of law enforcement, fearing retaliation or information leaks. On the other hand, the notion of a defender as an individual does not adequately reflect the collective reality of indigenous communities, where territorial defense is a communal practice rather than individual endeavor (USAID & Oxfam's Prevenir Project, 2024). Many community leaders do not identify as environmental defenders, even though their actions fall within that role. As several interviewees

emphasize, they do not defend the territory out of personal or individual aspirations, but because it is a community mandate. This disconnect between the State's individual-centered approach and indigenous peoples' collective understanding of defense creates protection gaps and increases the vulnerability of communities (ORAU, DAR & ProPurús, 2022) .

A particularly serious issue is the criminalization of indigenous defenders, who are accused or prosecuted without evidence by state or private actors seeking to hinder their work or discredit their causes. This pattern is aggravated by the fact that the Intersectoral Protection Mechanism does not contemplate measures to address criminalization, leaving unjustly accused defenders completely defenseless. Interviewees highlighted several emblematic cases. For example, the case of Ramiro, a young man from the Iskonawa people who was falsely accused of illegal logging in retaliation for opposing illegal activities in his territory. Similarly, Ángel Pedro Valerio, an Asháninka leader and head of CARE, was accused of involvement in the murder of four settlers following a protest demanding justice for the murder of defender Santiago Contoricón. Despite clear evidence that Ángel did not participate in the events, he was subjected to criminal proceedings solely for declaring his support for the protest. This case was brought to the Inter-American Commission on Human Rights and, after several years of struggle, his was acquitted (Tosi, 2022).

In general, defenders face not only threats and direct violence, but also disproportionate use of force, forced evictions, and stigmatization campaigns, including by state authorities, who present them as obstacles to development (Amnesty International, 2018). For indigenous women defenders, the situation is even more complex, as they face a double violence marked by gender and structural racism (USAID & Oxfam's Prevenir Project, 2024).

Indigenous defenders in Ucayali

Ucayali is the Peruvian region with the highest number of indigenous human rights defenders at risk, as well as the highest number of murders reported in recent years. According to the latest report by ORAU and ProPurús, as of 2025, 180 indigenous human rights defenders have been identified as being at risk —this figure far exceeds the 93 cases officially reported by the MINJUSDH (2025). However, the MINJUSDH data refer only to interventions carried out between June 2019 and March 2025, while ORAU and ProPurús data include cases recorded from 2010 to 2024.

The risks faced by defenders has increased over time and is geographically concentrated in the provinces of Coronel Portillo, Padre Abad, and Atalaya. At the district level, most cases are clustered in Masisea, Callería, Irazola, Yurúa, Nueva Requena, Yarinacocha, and Iparía. Masisea and Callería stand out for having the highest incidence rates, including emblematic communities such as Flor de Ucayali and Alto Tamaya-Saweto (ORAU & ProPurús, 2025).

Between 2020 and 2024, the Ucayali Regional Prefecture issued 38 personal guarantee resolutions providing protection to 105 human rights defenders from indigenous communities. However, with over 180 risk cases identified, a significant gap remains in access to protection measures (ORAU & ProPurús, 2025). Moreover, some individuals have received guarantees without being officially registered as indigenous defenders, raising questions about the effectiveness of the system. It is worth noting that communities such as Flor de Ucayali (Callería) and Sawawo Hito 40 (Yurúa) have requested communal guarantees—a concept not yet formally recognized under national regulations—with the support of allied organizations. These demands highlight the urgent need for a collective protection approach and for adapting state mechanisms to indigenous communal reality (ORAU & ProPurús, 2025).

Various organizations point out that the number of registered indigenous defenders in Ucayali is considerably lower than the actual figure. This underreporting results from both the reluctance of many male and female leaders to report threats and the State's failure to formally recognize them as territorial defenders (ORAU, DAR & ProPurús, 2022).

Types of threats faced by indigenous defenders in Ucayali

Indigenous environmental defenders in Ucayali face a wide range of threats that are compounded by the presence of illegal economies, a weak state presence, and the growing expasion of organized crime. These threats range from verbal harassment to murder, including criminalization, sexual violence, public stigmatization, and the manipulation of legal mechanisms to dispossess communities of their ancestral lands.

One of the most common forms of threats are verbal and psychological violence, which typically manifests as intimidating warnings, anonymous messages, or indirect intimidations conveyed through third parties. Such threats often originate from actors involved in illegal logging, illegal mining, or drug trafficking, who use intermediaries —often community members or people close to the victim— to conceal their identity. As one community leader from Ucayali —who prefers to remain anonymous— explained, it is common to receive messages such as: "Tell your leader to stop filing reports, or you'll see what happens," thus sowing fear without leaving any direct trace of the aggressor. This type of violence creates an atmosphere of constant tension and mistrust within communities.

At a second level are physical threats and attacks on life, which include direct assaults, armed attacks, and murders. These actions are typically directed against leaders who have reported illegal activities or opposed the entry of external actors into their territories. There have also been reports of shots fired in the air as intimidation tactics, threats against family members —including children of defenders— and cases in which the perpetrators are known to the community but remain unreported for fear of reprisals. The risk is particularly high in areas where illegal economies have consolidated territorial control and operate with complete impunity. This is especially true in zones affected by drug trafficking and organized groups that coordinate illegal logging and mining activities, creating criminal networks that far exceed the State's operational capacity.

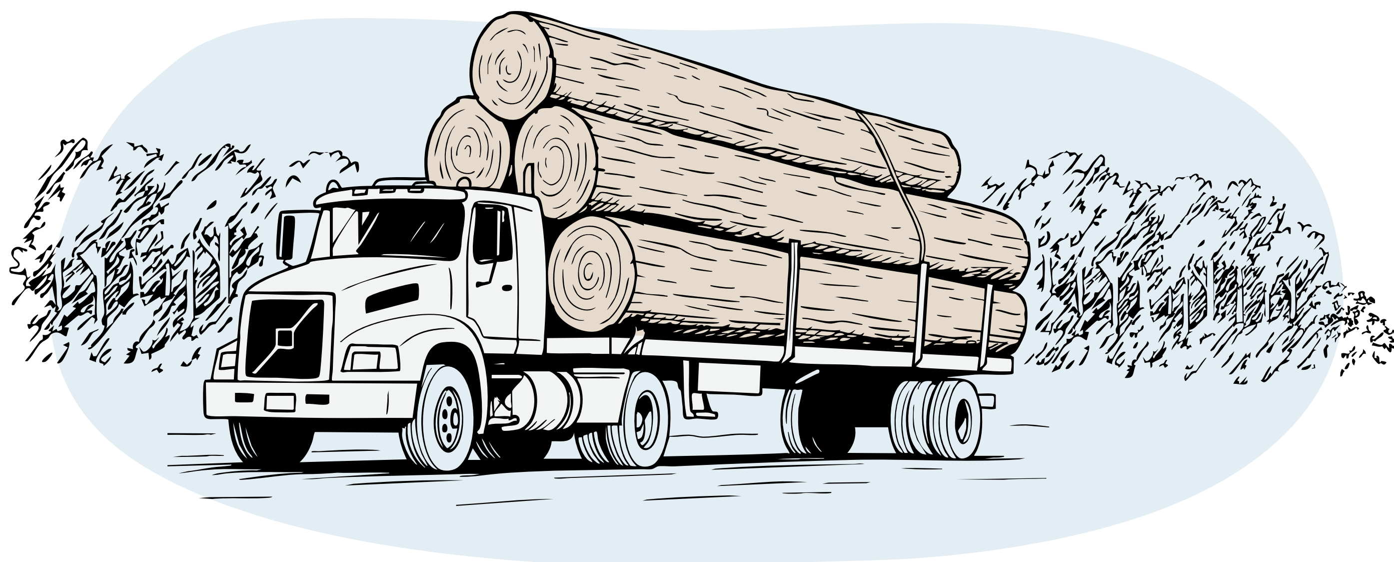
These threats are characterized by direct pressure on defenders or their families. In some cases, they result in forced displacement, compelling leaders to leave their communities for safety. In others, defenders remain in their territories under constant surveillance and harassment. The situation is aggravated in territories without formal land titles, where the lack of legal recognition weakens communities' capacity to assert their rights and defend their lands, making them even more vulnerable.

The criminalization of defenders also constitutes a serious form of threat. This occurs through the misuse of the legal system to initiate unfounded criminal proceedings aimed at delegitimizing and neutralizing territorial defense work. In some cases, the complaints come from private companies that accuse defenders of crimes such as coercion, trespass, or even murder, simply for exercising their right to protest or report abuses. These accusations lead to lengthy and exhausting judicial processes, forcing defenders to leave their communities or go into hiding.

Structural or institutional threats related to corruption of state authorities have also been documented. Multiple cases reveal that prosecutors, police officers, or public officials have acted in complicity with illegal actors or companies to obstruct investigations, dismiss complaints, or manipulate legal processes. This generates deep distrust toward the State. According to interviewees, criminalization of defenders often occurs alongside practices involving state authorities, such as the fabrication of false documents, proofs of ownership, and land titles, which are used to legitimize dispossession and intimidate those who oppose it.

Indigenous women defenders face additional gender-specific violence, including sexual threats, harassment, and the delegitimization of their role based on sexist attitudes. The case of Miriam[29], a defender from Puerto Inca —described below— exemplifies how the institutional system can minimize the severity of complaints filed by women by classifying as domestic violence what is in fact a kidnapping related to their work reporting illegal mining.

29 The person's name has been changed to ensure anonymity.



The absence of land titles is, in theory, a key factor increasing the risk of threats, as untitled territories and communities are allegedly more exposed to invasions by settlers and/or illegal actors, as well as to land trafficking. However, information collected during this research shows that threats to indigenous peoples occur in both titled and untitled communities. The State's failure to protect indigenous defenders and their territories is actually the main cause.

Amid this landscape of multiple threats, the responses of defenders are diverse yet limited. Many choose silence, not reporting and remaining in their communities despite the risk, convinced that the State will not protect them. Reasons for not reporting include fear of reprisals, perception of police collusion with aggressors, excessive evidentiary demand, and lack of access to legal counsel. This silence, however, often results in tragedy, as those who do not report remain targeted by criminal networks. Other defenders choose visibility through public denunciations and advocacy actions, which often forces them to leave their communities and go into hiding for safety. In these cases, protection often falls to the communities themselves, which activate communal patrols or surveillance committees to monitor territories and provide security. These strategies, including early warning systems, have proven effective locally but lack state support and integration into official protection mechanisms. This represents a missed opportunity, as the State could build on these community structures to strengthen responses, develop intercultural protection systems, and foster trust.

Finally, interviewees agree that the lack of information, legal training, and institutional support heightens the risk. The growing presence of organized crime in the region and the State's inaction exacerbate this scenario, endangering not only the safety of human rights defenders but also the integrity of the territories and the social fabric of indigenous communities in Ucayali (UNODC & USAID, 2024; USAID & Oxfam's Prevenir Project, 2024).

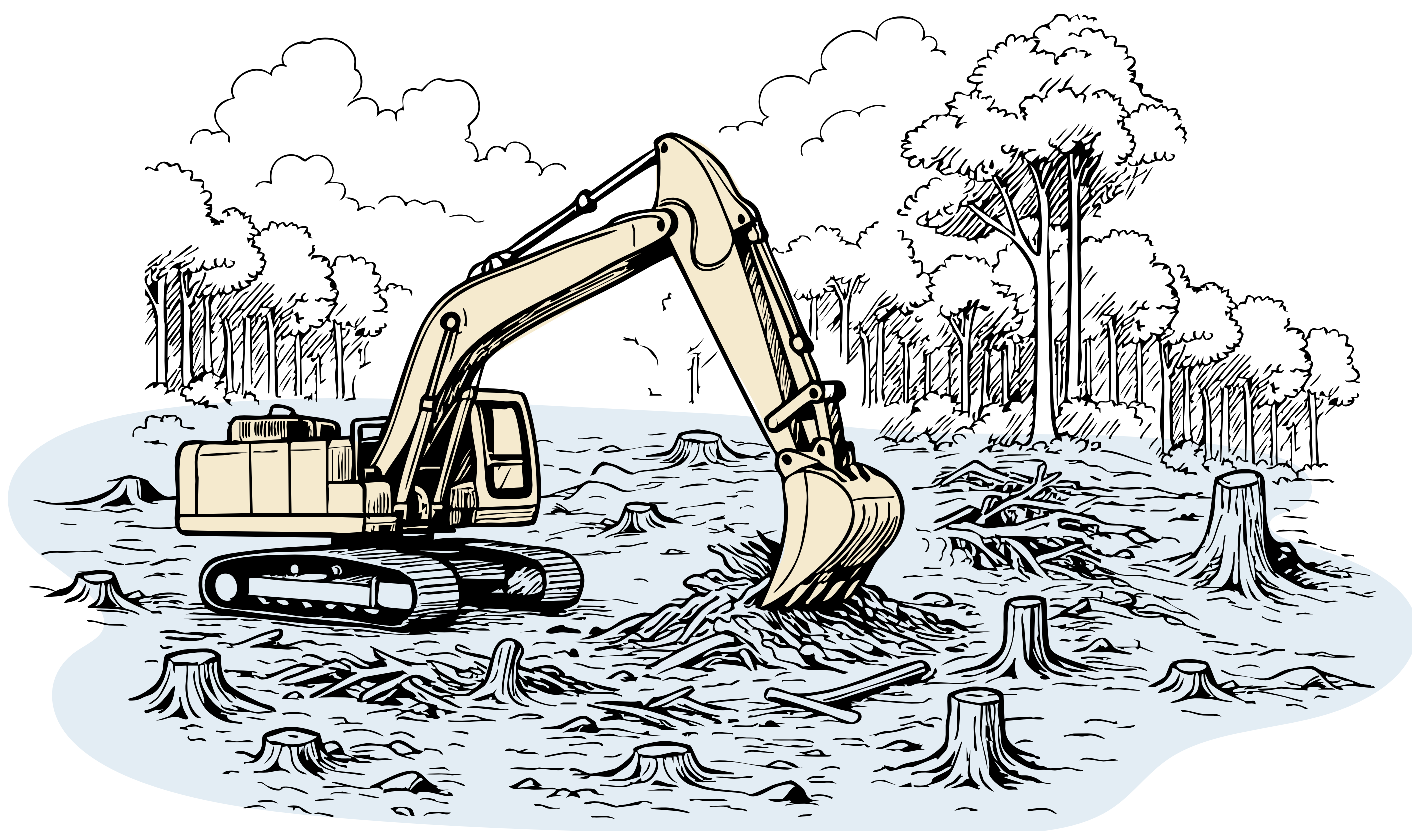
Case studies of indigenous defenders in Ucayali

The documented cases show that indigenous defenders experience critical situations. All cases recorded through interviews correspond to defenders from titled native communities, which reaffirms that communal land titles do not necessarily protect against land invasions and threats to the population of affected native communities.

One of the most emblematic cases is that of the Tamaya-Saweto native community in the Masisea district. In 2014, four Asháninka leaders were murdered for reporting illegal logging and timber trafficking in their territory. Years later, community residents reported that threats persisted (Sierra Praeli, 2023). The continuity of intimidation and impunity in the face of organized crime in this case illustrate that dangerous conditions persist and that impunity remains the norm (IDL, 2025).

The case of the Cametsari Quipatsi community, also in Masisea, reflects the impact of sustained threats over time. After reporting illegal logging and drug trafficking activities in the communal territory, its leader —who has also represented ORAU and other regional organizations— was forced to leave his community for several years, seeking refuge in Pucallpa to protect his life. He was later discredited by some community members and local authorities, accused of "creating problems" with his complaints. The situation left him in a state of extreme risk, without institutional or community support, and with no access to protective measures. Although he has since returned to his community, the threats persist, creating an environment of constant tension for him and the other community members.

In the Yurúa district, in the Sawawo Hito 40 community, a woman human rights defender and member of the surveillance committee publicly denounce having received threats from loggers after a neighboring community entered into an agreement with external actors to allow the construction of a road without the community's consent. She received verbal threats, which were reported to the Human Rights Prosecutor's Office, prompting the granting of protective measures to the surveillance committee. However, the woman defender never



received clear information about the progress of the legal process, revealing serious limitations in institutional communication and access to justice. According to her, the threats have continued despite the so-called protective measures.

One of the most serious and recent cases is that of a woman environmental defender from the Paucarcito native community, located on the border of Huánuco and Ucayali. She was kidnapped by a local leader and other community members after reporting illegal mining in her territory. Her case exposes the corruption in public institutions. Initially, the kidnapping was classified as a gender-based crime, which diverted attention from the true cause: retaliation for her work as a defender. Testimonies collected indicate that local police, the community leader, and other Paucarcito community members were colluding with illegal miners, even holding shares in the mining operations. The regional prosecutor's office initially refused to take the case, prompting Miriam and her allies to seek support from the Ministry of Culture and the Ombudsman's Office. Only after the intervention of the president of the Board of Prosecutors did the Special Environmental Prosecutor reopen the case, issuing a non-aggression pact was between the community leader and the defender. Her attorney also revealed attempts to manipulate the judicial process and offers of bribes to prosecutors by actors linked to illegal mining.

These cases reflect common patterns: direct threats, forced displacement, structural violence, corruption, impunity, and the absence of state support. Despite the risks, defenders continue to resist and defend their territories, often relying on community networks, indigenous organizations, and strategic allies. The persistence and increasing frequency of these cases, along with the ongoing lack of accountability, underscore the urgent need for effective and culturally appropriate protection mechanisms, as well as stronger legal guarantees and public policies that recognize territorial defense as a collective right.

3.3.3 PROTECTION MECHANISMS FOR INDIGENOUS DEFENDERS: LIMITATIONS AND INEFFICIENCY

In response to the rising violence against human rights defenders, the Peruvian State has adopted several institutional measures since 2018. These comprise the inclusion of defenders as a special protection category in the 2018-2021 National Human Rights Plan, the approval of the Protocol for Human Rights Defenders by the MINJUSDH, and, since 2021, the creation of the Intersectoral Mechanism for the Protection of Human Rights Defenders[30] —currently, the main public policy instrument aimed at prevention, protection, and access to justice in situations of risk (ORAU & ProPurús, 2025; USAID & Oxfam's Prevenir Project, 2024). However, there is still no specific law within the Peruvian legal framework that protects indigenous defenders, and Congress has twice rejected ratification of the Escazú Agreement (SPDA, 2022). Despite regulatory advances, the State's response is perceived as insufficient by indigenous communities, allied organizations and multiple authorities and experts (ORAU, DAR & ProPurús, 2022; USAID & Oxfam's Prevenir Project, 2024; ORAU & ProPurús, 2025).

In practice, the Intersectoral Mechanism faces numerous shortcomings. The protection measures it grants often remain limited to administrative resolutions with no real binding force, which fail to translate into effective protection on the ground. As several interviewees —including indigenous defenders, NGO members, and public officials— pointed out, threats frequently persist even after personal guarantees have been granted.

One of the Intersectoral Mechanism's main limitations is its individualized approach, which does not adequately respond to threats of a collective nature, such as those affecting

30 According to the ORAU & ProPurús report (2025), S/ 1,643,929 were allocated for the implementation of the Mechanism to guarantee the protection of human rights defenders (PDDH) and in 2025, 184,594 soles were spent to address risk situations against PDDH and S/ 163,620 for the coordination of the Regional Roundtables.

indigenous communities (USAID & Oxfam's Prevenir Project, 2024). Furthermore, as civil society representatives observed in interviews, the Mechanism does not recognize criminalization as a form of aggression. This omission limits its effectiveness in cases involving unfounded complaints or judicial harassment against defenders —common practices in contexts of territorial conflict (ORAU, DAR & ProPurús, 2022).

It should be noted that the cases recognized by the Mechanism depend on information provided by external sources —either defenders themselves or another natural or legal person acting on their behalf. This restricts access for those seeking protection for various reasons: lack of awareness of the Mechanism's existence and procedures, distrust in its effectiveness, or fear of reprisals. This arrangement places the burden of proof on the person requesting protection, rather than on the state authority that should be responsible for conducting the necessary investigations.

Another critical weakness lies in the slow activation and poor implementation of the Intersectoral Mechanism. An example is the case of the Sawawo Hito 40 native community, where the request for activation of the early warning procedure was submitted in August 2021, but the favorable resolution was not issued until November 2023. Although police patrols and other measures were ordered, their implementation was, in practice, limited or nonexistent (ORAU & ProPurús, 2025). The Mechanism's response times are clearly misaligned with the urgency of the attacks against defenders, particularly those perpetrated by organized crime networks (Pérez, 2023; USAID & Oxfam's Prevenir Project, 2024).

At the structural level, the Mechanism lacks sufficient funding for its proper implementation. The entities responsible have indicated that they do not haven even the minimum logistical resources —such as river or land transportation— nor enough personnel to carry out actions in remote territories (DAR, ORAU, and ProPurús, 2022). Members of civil society point out that the MINJUSDH lacks the capacity to address all the cases but should at least function as a hub connecting defenders with other state entities. The Specialized Prosecutor's Office for Human Rights and Interculturality of Ucayali, for example, has reported serious logistical restrictions in reaching remote communities, which limit its capacity for prevention and investigation. Interviewees also noted that the State and its public officials lack the political will to address and follow up on cases involving indigenous defenders, as they are often no considered a priority. Additionally, the absence of a clear definition of "environmental defender" in Peruvian regulations makes it difficult to identify, register, and effectively protect these individuals (USAID & Oxfam Prevenir Project, 2024).

For their part, the regional roundtables for the protection of human rights defenders —created as decentralized coordination spaces for the implementation of the Intersectoral Mechanism— are also insufficient due to limited budgets, the restricted presence of the MINJUSDH in many regions, and poor coordination with subnational authorities. Moreover, their operation depends on the agenda of the Vice Minister of Human Rights and they lack a defined work plan or schedule. The limited participation of regional authorities and the absence of representatives with decision-making capacity further reduce their effectiveness. As a result, these spaces have minimal impact and operate as inefficient mechanisms in contexts that demand a rapid and coordinated state response (ORAU & ProPurús, 2025).

Another issue is that the Intersectoral Mechanism, having been approved by supreme decree, cannot compel state bodies outside the executive branch to implement measures to protect defenders. The nonexistence of a law institutionalizing the Mechanism restricts its ability to engage regional and local governments, which frequently fail to assume their roles in implementing protective actions (ORAU & ProPurús, 2025). Only a law enacted by the Congress of the Republic could assign direct responsibilities to regional and local governments and other state entities.

Another major criticism, raised repeatedly in interviews, is that the Intersectoral Mechanism is reactive rather than preventive: "the State reacts, but it does not prevent". It is only activated when threats and attacks have already occurred, rather than focusing on structural prevention. Civil society organizations, such as Law, Environment and Natural Resources (DAR), highlight that actions such as promoting the physical and legal regularization

of indigenous territories could effectively serve as preventive mechanism by addressing some of the root causes of conflict. Similarly, the Specialized Prosecutor's Office for Human Rights and Interculturality recognizes the urgent need to act before attacks against defenders take place. The lack of a preventive approach severely limits the State's capacity to provide timely and structural protection to indigenous defenders.

In the face of these deficiencies, various communities have developed self-protection strategies, including communal patrols and early warning systems. These collective defense initiatives, although effective in certain contexts, are insufficient due to the scale of the threats and cannot replace the role of the State. Moreover, they are frequently rendered invisible or remain legally unrecognized (USAID & Oxfam's Prevenir Project, 2024; Mongabay Latam , 2024; Tosi, 2022). In response to state inefficiency, ORAU promoted the creation of the Self-Protection Platform for Defenders of Life, launched on April 4, 2024, to strengthen local capacities to prevent and respond to threats. However, these efforts continue to operate without support or effective coordination with national public policies (ORAU & ProPurús, 2025).

In conclusion, more than four years after its creation, the Intersectoral Mechanism presents serious limitations in terms of planning, resources, inter-institutional coordination, and cultural relevance. Indigenous communities remain exposed to threats without effective state protection, perpetuating an environment of impunity and escalating violence. Strengthening the Mechanism requires a comprehensive reform that includes a collective approach, adequate financing, legal recognition of community defense systems, interoperability of information between entities, and genuine civil society participation (ORAU, DAR & ProPurús, 2022; USAID & Oxfam's Prevenir Project, 2024; ORAU & ProPurús, 2025).

3.4 LEGAL SECURITY OF THE TERRITORY FROM A GENDER PERSPECTIVE

This section explores the situation of indigenous women in Ucayali and their relationship with the territory, as well as their political participation in decision-making at the communal level and within indigenous organizations.

Indigenous women play an important role in food security, biodiversity preservation, and the governance of ancestral territories. Within traditional gender frameworks, women developed productive and reproductive capacities, while men specialized in hunting and warfare. This means that both men and women possess ancestral knowledge that, beyond differentiating them, complement each other. However, this structure has been drastically disrupted by the extractive economic model and the arrival of new actors into indigenous territories, leading men to assume interlocutory roles based on a masculinized Westernized model that promoted the relegation of women (Catip, Nunta, & Dongo, 2019). As a result, indigenous women are denied visibility in public policies and programs related to land and natural resource access, which represents a major barrier to gender equity and social justice. According to a study by ONAMIAP & CIFOR (2017), only three out of ten women participate in the definition of community rules, compared to five out of ten men.

In recent decades, women have gained rights and ground in political spaces, as reflected in the increasing number of women holding authority positions, pursuing higher education and taking on leadership roles. indigenous women's organizations, such as the National Organization of Andean and Amazonian Women of Peru (ONAMIAP) and the National Federation of Peasant, Artisan, Indigenous, Native, and Wage-earning Women of Peru (FENMUCARINAP), exemplify these advances. Nevertheless, in some organizations, women continue to hold positions that reinforce traditional gender roles, such as secretaries, board members, or treasurers, while rarely accessing higher levels of decision-making power. Furthermore, the position of "Secretary for Women" has been institutionalized in some boards of directors, yet the women in this role often receive limited support to carry out specific activities and lack equal participation in practice.

At the community level, decision-makers in assemblies are the heads of households, a role held by men since the formation of indigenous communities in the 1970s. Consequently, although women attend assemblies and participate in discussions, their interventions carry less weight than those of their male counterparts. While progress has been made in the political arena, women's participation in decision-making spaces within indigenous communities and organizations remains an ongoing process, shaped by relations of gender and ethnicity in a rapidly evolving Amazonian context that must be understood in all its complexity.

3.4.1
ACCESS TO TERRITORY

Women have access to fewer and lower-quality land plots. The most suitable lands —those with better soil, access to water, and other key resources— are generally allocated to sons, while women tend to receive lower-quality land. Regarding inheritance, a legal review reveals that laws governing communal tenure systems in indigenous communities do not explicitly differentiate between men and women. In contrast, for the regime of peasant communities, the law explicitly defines membership for both genders (CIFOR, ONAMIAP & Rights and Resources Initiative, 2017).

A particularly concerning fact is that indigenous women have limited participation in the boundary commissions or committees responsible for establishing limits during land titling processes.

This absence means their voices are excluded from critical decisions regarding the delimitation of communal territory, which have direct consequences for their access to essential resources (ORAU and ProPurús, 2025).

Furthermore, in the case of women human rights defenders, available information remains scarce due to their recent and limited visibility in political and decision-making spaces. According to the report by ORAU and ProPurús (2025), drawing on data from the MINJUSDH, for every five men facing risk situations, there is one woman. Although the number of women in such cases is lower, they confront differentiated and aggravated risks due to their gender.

In Women and Eco-Territorial Conflicts. Impacts, Strategies, Resistance (2017), Rocío Silva Santisteban argues that gender-based violence in eco-territorial conflicts[31] manifests in various forms, before, during, or after the peak of the conflict. The range of these situations of violence at multiple levels is captured in the following passage:

> We will analyze gender-based violence during mobilizations or crises within conflicts. This includes the criminalization of women protesters; direct physical violence within the framework of institutional violence and biopolitical control over bodies during mobilizations; conflict-related sexual violence perpetrated by various actors; stigmatization and discrediting of women defenders; systematic harassment as psychological violence, as well as various impacts on women who protest and dissent from extractivist discourse. However, just as this violence is perpetrated by public or private agents, symbolic violence is also exercised by fellow defenders and leaders when they prevent women defenders from adequately participating in dialogue tables or prior consultation processes. (Silva, 2017, p. 86).

Many indigenous women face violence in silence and must overcome multiple obstacles[32] at different levels to access justice. They experience physical and psychological abuse from their partners, community authorities and indigenous

31 Silva (2017) draws on Hoetmer (2013), Svampa (2008), and Composto and Navarro (2006) to define ecoterritorial conflicts. According to Hoetmer, there are two types of ecoterritorial conflicts: First, coexistence conflicts, in which the parties negotiate the conditions of exploitation by companies in the territories; and second, alternative or resistance conflicts, arising from two opposing understandings of development and life projects of the citizens of a locality or country. The term "ecoterritorial" broadens the scope, as extractivism is a form of biopolitics that exerts control over human, animal, and plant life within the disputed territory. In this context, the state of exception fits in through a systematic and silent genocide manifested in territorial dispossession processes (Silva, 2017, p. 52).

32 Lazo and Arredondo (2021) identify factors contributing to impunity in cases of sexual violence among the Awajún and Wampis peoples from a systemic approach. They are summarized across the following levels: 1) Intrafamilial: fear of being blamed, threats from the aggressor, family ties with the aggressor, forced marital arrangements; 2) Interfamilial: pressure and intimidation from families with greater social capital, power imbalances between clans; 3) Community/interclan: public stigmatization of victims, substitution of traditional sanctions for unfulfilled economic reparations, predominance of dominant clans in the justice system, male authorities who do not prioritize cases of sexual violence; 4) Mixed-race society: distrust of the ordinary justice system due to historical ethnic tensions, inefficiency of organizations such as peasant patrols (rondas campesinas); 5) State: inaction by the education sector, lack of case referrals among institutions (UGEL, health centers, etc.), police misinformation, structural barriers (distance, costs, duration of proceedings). Impunity, therefore, results from the convergence of factors in each sphere which systematically hinder effective access to justice for victims of sexual violence.

Similarly, Vallejo (2012) in a study on Ecuador, Peru and Bolivia, commissioned by UN Women, identifies obstacles at the family and community (questioning, blaming the victim as "provocative", gossip and rumors), Indigenous justice (predominance of community and family interests over those of women, partiality of authorities, women's distrust of authorities, low effectiveness of punishments), and ordinary (focus on the protection of the family, predominance of male officials, women's lack of confidence to file complaints, centralization of institutions, ignorance of laws and institutions, revictimization during judicial proceedings) levels (pp. 54-55).

organizations, and even from mixed-race loggers, coca growers, and miners who invade their territories (Sierra, 2023; Lazo et al., 2022). Despite the information gap, the context of widespread violence appears to contribute to the rise of these situations.

It is also important to emphasize that, following the murders of male indigenous defenders, it is often the women —mothers, wives, and daughters— who bear the burden of providing for their families. They must deal with grief and hardship while assuming the role of sustaining their homes (ORAU & ProPurús, 2025). This situation increases the workload and vulnerability of women, who are left to care for and protect the territory and their families.

Indigenous women perceive the legal security of their lands as a fundamental component of their lives; land plays a central role and represents their source of subsistence, their productive assets, and the space where they develop their culture and transmit it to future generations. However, indigenous women defenders endure a particularly high-risk context. They are constantly subjected to gender-based violence, which manifests through threats of physical assault, sexual harassment, and defamation campaigns aimed at delegitimizing their role as leaders in the defense of territorial rights.

The threats faced by women often differ from those directed at indigenous men (Ponce, 2024; USAID & Oxfam's Prevent Project, 2024). Power structures within their communities limit their participation in decision-making regarding land use and access to resources, perpetuating their marginalization and weakening their ability to protect their territories (USAID & Oxfam's Prevent Project, 2024). This demonstrates a clear link between gender inequality and the legal security of territory: the lack of recognition of women's rights not only undermines their position regarding territorial ownership, but also limits their ability to actively engage in resource management and protection. As a result, women defenders must simultaneously fight for their rights in a threatened environmental context and for the recognition of their rights as women within their own communities and households.

It's worth noting that organizations such as AIDESEP have made public statements and taken steps toward strengthening the visibility of women human rights defenders. In a statement dated May 23, 2023, demand number 6 reads:

> **We call on the Peruvian government to recognize the work of indigenous women as defenders of collective and individual rights, as they are often rendered invisible in the struggle to defend their territories. To achieve this, specific and urgent measures are needed[33].**

Likewise, the creation of the Platform of indigenous Defenders represents progress in acknowledging the active role of women in territorial defense.

33 See https://aidesep.org.pe/noticias/declaracion-de-defensores-y-defensoras-de-los-pueblos-indigenas-de-la-amazonia-peruana/

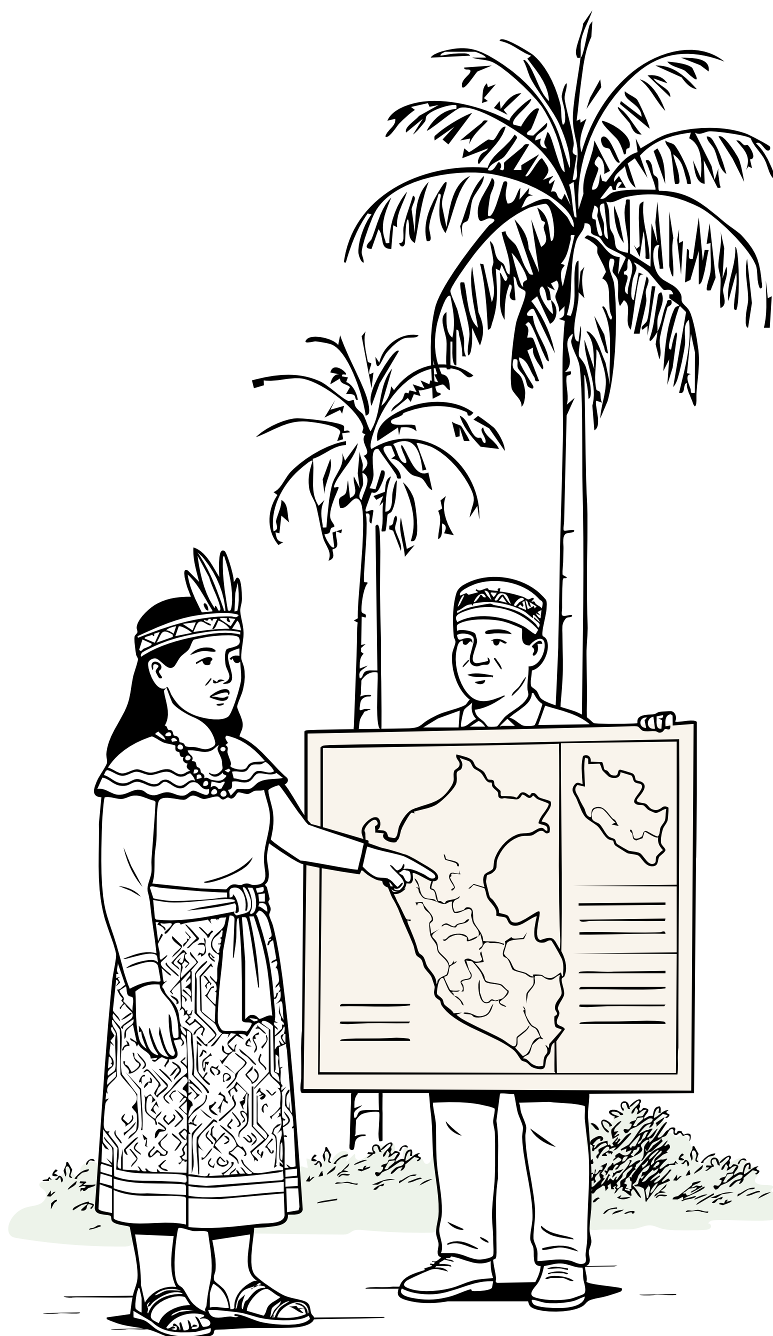
3.4.2 PARTICIPATION IN TITLING PROJECTS

Titling projects funded by international cooperation —such as the IDB's PTRT3, the World Bank's FIP mechanism, and the Peru-Norway-Germany Joint Declaration of Intent— have incorporated measures to promote the participation of indigenous women.

PTRT3, for example, complies with the Operational Policy on Gender Equality and establishes affirmative actions[34] to facilitate women's involvement in all phases of the land recognition and titling process. Its terms of reference require "developing mechanisms to promote women's participation in titling processes", and the operational manual establishes the need for a representative of women's organizations on the Regional Participatory Monitoring Committees.

Similarly, projects under the FIP mechanism define specific measures such as establishing minimum and maximum participation quotas (30-50%), creating dedicated consultation and coordination spaces for women's groups, scheduling meetings at times compatible with caregiving responsibilities to facilitate participation, and providing childcare services during assemblies.

These initiatives set a precedent and underscore the lesson that gender inclusion measures must go beyond quotas to ensure effective participation. Achieving this requires strengthening capacities, providing access to information, and allocating financial resources to enable indigenous women to fully participate in land titling processes.



34 The MICI & IDB report (2024) cites the study Indigenous Women's Access to Land, Territory, and Natural Resources in Latin America and the Caribbean by Irma Velásquez (2018), which offers the following recommendations to improve Indigenous women's access to land, territories, and resources (LTR): 1) Research: deepen intersectional studies on living conditions and access to LTR, disaggregate census data by sex, ethnicity, and geography, and systematize fragmented information on land tenure; 2) Financing: support credit unions led by Indigenous women to prevent banking discrimination and indebtness; 3) Training: allocate resources to expand higher education opportunities for Indigenous women leaders; 4) Systematization: document good practices in cooperatives and formalize technical assistance; 5) Institutional participation: promote women's leadership in demarcation and titling bodies (CONADETI, CIDT, National Land Agency); 6) Cultural change: work with local authorities to transform exclusionary traditions into heritage and political participation spaces, redefine concepts of land/territory from a women's perspective; 7) Free, Prior, and Informed Consent: adopt a gender-sensitive approach as a continuous process from project conception to monitoring, guarantee women's active participation, and legislate administrative autonomy for sustainable land-use management.

Photo: Mathieu Laprise

4

CONCLUSIONS AND RECOMMENDATIONS

4.1 CONCLUSIONS

An analysis of land tenure among indigenous peoples in the Amazon reveals a structural problem marked by regulatory fragmentation, the subordination of territorial rights to technical land classifications, and institutional disorganization. Although the legal framework formally recognizes native communities, the mechanisms to ensure legal territorial security are insufficient and, in many cases, ineffective. This deficiency reflects bias at all levels of government in favor of private property and extractive and agricultural economies. An example of this is the recent amendment to the Forestry Act (Act No. 31973), which represents a significant setback by weakening forest protection mechanisms and facilitating the reclassification of deforested areas as agricultural land, thus legitimizing processes of territorial invasion and degradation.

In this scenario, recognition and titling processes, although formally regulated, encounter systematic obstacles in practice, such as overlaps with other legal entities, complex technical procedures, high costs, and excessively lengthy procedures. In particular, georeferencing and land classification have become bottlenecks that delay processes for years or even decades. Furthermore, the absence of a unified and updated land registry, combined with poor coordination among state entities, leads to overlapping rights and facilitates land trafficking. This situation, aggravated by institutional corruption and ineffective conflict resolution mechanisms, laves indigenous communities extremely vulnerable to external actors with economic and political power.

There is an urgent need to review the legal framework for indigenous communities, particularly Decree Law No. 22175 of 1978, in order to adapt it to contemporary realities and international human rights standards. Such reform must be carried out with the full participation of indigenous peoples, recognizing territorial integrity as the foundation of their identity and collective existence.

This regulatory crisis finds its most critical expression in regions such as Ucayali, where there is a marked gap between the formal recognition of indigenous territorial rights and their effective implementation. This is evidenced by the more than 200 indigenous groups that remain in a legal limbo as "localities without an identified type," "untitled," "recognized," or "titled but not registered," exposing them to multiple threats.

The lack of coordination between state entities, the absence of a unified cadastral database, institutional corruption, and a lack of political will have turned the physical-legal cleanup process into a bureaucratic labyrinth that systematically favors private concessions and extractive activities over collective indigenous rights. The DRAU, which should lead these processes, has delegated its responsibilities to indigenous organizations and international cooperation agencies, citing budget constraints to justify its inaction.

Communities face multiple threats to their territorial legal security: from the exploitation of legal instruments to appropriate communal resources and the fragmentation within the communal organization fostered by external interests and actors, to the expansion of illegal activities, intimidation, and physical violence against leaders and community members. This situation has led to serious consequences, including the loss of livelihoods, forced displacement, and changes in the social and cultural fabric of indigenous peoples.

Given these threats and obstacles, indigenous communities and organizations express distrust toward the State and perceive it as complicit in territorial dispossession through alliances with corporations, settlers, and illegal actors. In response, they are strengthening their autonomous protection mechanisms, such as vigilance committees and indigenous patrols. However, these initiatives face considerable challenges given the magnitude of the pressures on their territories and the asymmetry of power vis-à-vis illegal actors.

This vulnerability to territorial threats has become particularly evident in the situation of indigenous land defenders in Ucayali, a stark manifestation of the legal insecurity experienced by indigenous peoples throughout the Amazon, characterized by multiple threats, bureaucratic obstacles, and shortcomings of state entities. The region has turned into the national epicenter of violence against defenders, registering the highest number of people at risk (93 official cases and more than 180 according to indigenous organizations) and murders (11 documented), reflecting the rapid expansion of illegal activities and organized crime in ancestral territories.

Threats against indigenous human rights defenders take many forms, ranging from verbal intimidation to criminalization, physical violence, and targeted killings. This pattern is aggravated by structural factors such as institutional corruption —which fosters links between illegal actors and authorities— and the widespread impunity that prevails in reported cases. The situation of women defenders is particularly alarming; in addition to dealing with the same risks as their male counterparts, they suffer gender-specific violence, including sexual threats, delegitimization of their traditional authority, and the overburdening of territorial responsibilities when male defenders are killed or displaced. Furthermore, their advocacy work remains largely invisible in official records.

The Intersectoral Mechanism for the Protection of Human Rights Defenders, the main state instrument in terms of protection of defenders created in 2021, has critical deficiencies that undermine its effectiveness. Its individualized approach overlooks the collective nature of threats in indigenous contexts; its slow activation contrasts with the immediacy of the risks; it lacks sufficient funding for its implementation in remote territories; and, because it was approved by supreme decree rather than by law, it has no binding power over regional and local governments.

In response, communities have expanded and reinforced their self-protection mechanisms, such as surveillance committees, communal patrols, and early warning systems. These strategies, although valuable, operate without formal recognition or coordination with public policies, representing a missed opportunity to strengthen a comprehensive response to threats. ORAU's initiative with the Self-Protection Platform for Life Defenders demonstrates the organizational capacity of indigenous peoples in the face of state inaction.

A key finding is that land titling, while essential, does not by itself ensure the effective protection of defenders or the legal security of their territories. Documented cases show that even titled communities confront threats, highlighting the urgent need for appropriate policies that work both in theory and in practice.

In sum, the crisis of indigenous territorial legal security in the Peruvian Amazon reflects historical patterns of dispossession and exclusion that demand urgent structural responses. The findings show that the effective protection of indigenous territories and defenders transcends formal titling and requires the reformulation of legal frameworks, the strengthening of institutional capacities, and the evaluation of the extractive development models that shape State action. The strategies of resistance and self-protection developed by indigenous peoples, far from exempting the State from its responsibilities, constitute a call for the construction of genuinely intercultural public policies that recognize their role as guardians of the Amazon and guarantee the full exercise of their collective rights.

4.2 RECOMMENDATIONS

4.2.1 REFORM THE LEGAL FRAMEWORK TO GUARANTEE THE TERRITORIAL LEGAL SECURITY OF INDIGENOUS PEOPLES

1. **Update the Native Communities Act:** Review and update Decree Law No. 22175 with the effective participation of indigenous peoples throughout the process, ensuring recognition of territorial integrity —without fragmentation by land cover or use—, full legal personality upon recognition, and compliance with international standards such as ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples.

2. **Eliminate the concept of use concession or redefine it as a transitional step toward full communal ownership,** establishing mechanisms for its automatic conversion into communal property when ancestral occupation is proven, recognizing traditional possession as sufficient evidence of ownership rights.

3. **Strengthen the right to prior consultation:** Guarantee the binding nature of prior consultation, in accordance with Act No. 29785 (Act on the Right to Prior Consultation of Indigenous or Native Peoples), and ensure its application in all processes affecting indigenous territories, including physical and legal regularization, land categorization, the creation of protected natural areas, and the granting of forestry, mining, or conservation concessions. Also establish independent oversight to ensure effective implementation.

4. **Harmonize agricultural, forestry, and environmental legal frameworks with the rights-based approach of ILO Convention 169,** establishing a regulatory hierarchy that prioritizes collective territorial rights over overlapping economic interests and demanding legal coherence in multisectoral processes. Create an Intersectoral Regulatory Harmonization Commission to evaluate and repeal provisions that conflict with indigenous territorial rights (MIDAGRI, MINAM, SERFOR, SERNANP, MINCUL, MIMP, among others).

5. **Explicitly recognize ancestral ownership as a legal basis for initiating the titling process,** eliminating culturally irrelevant or excessive administrative requirement that burden communities.

6. **Set maximum legal timeframes for each stage of the titling and regularization process,** with clear responsibilities for each competent entity, and mechanisms for citizen oversight and sanctions in case of non-compliance.

7 Define specific institutional responsibilities

Regulatory reform and participation (Creation and approval of the new legal framework)	▶ **Ministry of Culture and Ministry of Agrarian Development and Irrigation:** Jointly manage the review of Decree Law No. 22175 and coordinate participatory spaces with indigenous organizations for the collaborative development of a new Native Communities Act. ▶ **National and regional indigenous organizations:** Propose content and leadership in the participatory development of a new law for indigenous peoples. ▶ **Congress of the Republic:** Approve legal reforms and allocate specific, intangible budget for implementation.
Operational and territorial implementation (Practical execution of titling and regularization)	▶ **National Superintendency of Public Registries, Ministry of Agrarian Development and Irrigation, and National Forestry and Wildlife Service:** Modernize and update the unified registry and cadastral system. ▶ **Regional governments:** Ensure the effective implementation of titling processes with a guaranteed national budget and verifiable goals. ▶ **National Forest and Wildlife Service:** Harmonize forest classification (soil classification) with indigenous territorial rights.
Guarantees and protection of rights (Monitoring compliance with standards)	▶ **Ministry of Justice and Human Rights and Ministry of Culture:** Monitor compliance with the right to prior consultation and enforce international standards. ▶ **Ombudsman's Office:** Conduct independent citizen oversight and ensure the comprehensive protection of territorial rights.
Institutional coordination and articulation (Multi-sector management and monitoring)	▶ **Presidency of the Council of Ministers:** Coordinate multisectoral policies and establish an Intersectoral Monitoring Commission. ▶ **Permanent Multisectoral Commission:** Chaired by the Presidency of the Council of Ministers (PCM), with equal representation of indigenous organizations, mandatory quarterly meetings and public progress reports.
Financing and resources (Economic sustainability of the process)	▶ **Ministry of Economy and Finance:** Allocate a specific, multi-year, and intangible budget for the titling of native communities. ▶ **International cooperation:** Provide complementary technical and financial support, without replacing the primary responsibility of the State.
Supervision and control (Monitoring compliance and accountability)	▶ **Comptroller General of the Republic:** Conduct annual audits to verify compliance with deadlines, use of resources, and quality of titling processes, applying administrative sanctions in case of non-compliance.

4.2.2
EXPEDITE THE TITLING OF NATIVE COMMUNITIES AS A PREVENTIVE MEASURE

1. **Define clear responsibilities for each state institution,** establish mechanisms to ensure the implementation of existing standards and protocols, and strengthen oversight of involved institutions, including MIDAGRI, GORE, SERFOR, MINCUL, MINAM, among others.

2. **Standardize procedure for resolving overlaps and assign responsibilities** to SUNARP, MIDAGRI, and GOREs.

3. **Consolidate the cadastral databases of all relevant state entities** into a single cadastral database, including MIDAGRI, regional governments, SUNARP, SERFOR, and other entities, to prevent overlaps, false titles, and land trafficking.

4. **Register in cadastral databases the territories of communities** that have initiated recognition and/or titling process, ensuring these lands cannot be granted as concessions, private properties, etc.

5. **Establish a National Plan for Titling Native Communities** that includes a timeline, annual goals, a multi-year budget, and prioritization criteria based on territorial risk —presence of illegal economies, active conflicts, or threats to defenders— with mandatory participation of indigenous organizations in defining these prioritization criteria.

6. **Standardize necessary technical procedures, defining the methodologies to be used through technical guides, for the physical-legal regularization process of native communities**, including land classification (Supreme Secree No. 005-2022-MIDAGRI) and georeferencing (Ministerial Resolution No. 0370-2017-MINAGRI, Ministerial Resolution No. 0142-2023-MIDAGRI), in order to ensure consistency among regional governments during the land titling process.

7. **Provide financial and technical support to native communities in their land titling processes.** The State, through regional governments, must assume all administrative costs associated with the recognition, georeferencing, physical-legal regularization, and titling of communal territories, ensuring that these processes do not represent financial barriers for communities. Additionally, ongoing and culturally appropriate technical support must be provided to communities throughout all stages, strengthening their capacity to fully exercise their territorial rights.

8 Define specific institutional responsibilities

Institutional framework and coordination (Organizational structure for titling)	▶ **MIDAGRI:** Sectoral oversight of the titling process and inter-institutional coordination with verifiable goals and defined timeframes. ▶ **Regional governments:** Operational implementation of titling processes with a guaranteed national budget and compliance with annual goals. ▶ **MIDAGRI and SUNARP:** Joint leadership in the resolution of territorial overlaps following established protocols and timelines.
Information system and cadastre (Unified technical infrastructure)	▶ **SUNARP:** Development, implementation and maintenance of the unified national cadastral database. ▶ **MIDAGRI:** Integration of agricultural and communal data into the unified cadastral system. ▶ **COFOPRI:** Migration and consolidation of existing cadastral data into the unified cadastral system. ▶ **Regional governments:** Ongoing feeding and updating of territorial data into the national cadastral database. ▶ **SERFOR:** Integration of forestry data and implementation of automatic land reservation.
Strategic planning (Programmatic process management)	▶ **MIDAGRI and indigenous organizations:** Joint development of the National Titling Plan, with a timeline and prioritization criteria based on territorial risk. ▶ **MEF:** Multi-year, specific and intangible budget allocation for the titling of native communities. ▶ **Regional governments:** Execution of territorialized annual goals according to the National Titling Plan. ▶ **National Center for Strategic Planning**: Coordination with national and territorial strategic planning.
Standardization of technical processes and procedures (Standardization of procedures)	▶ **MIDAGRI:** Development and updating of technical guides for physical-legal regularization and land classification. ▶ **SUNARP:** Development of standardized registry protocols for communal titling. ▶ **INGEMMET:** Definition of technical standards for territorial georeferencing. ▶ **National Forest and Wildlife Service:** Standardization and harmonization of forest classification methodologies with territorial rights.

Technical and economic support to Native communities (Elimination of economic and technical barriers)	▶ **Regional governments:** Full coverage of administrative costs for the titling process, ensuring no financial burden on applicant communities. ▶ **MINCUL:** Provision of ongoing and culturally relevant technical support throughout the process. ▶ **MEF:** Guaranteed direct transfers to regional governments to finance titling procedures. ▶ **Indigenous organizations:** Community technical support and strengthening of territorial capacities.
Supervision and control (Compliance monitoring and accountability)	▶ **Office of the Comptroller General of the Republic:** Oversight of institutional compliance, annual audits of timeframes and use of resources, and application of administrative sanctions. ▶ **Ombudsman's Office:** Independent monitoring of progress and protection of territorial rights. ▶ **National Commission on Indigenous Titling:** Monthly monitoring, quarterly public reports and equal indigenous representation. ▶ **International Cooperation:** Provision of complementary technical and financial support, without replacing primary state responsibility.

4.2.3 ADOPT A SPECIFIC LEGAL DEFINITION OF INDIGENOUS HUMAN RIGHTS DEFENDERS

1. **Adopt a distinct legal definition of indigenous defenders that recognizes their collective role in protecting ancestral territory,** cultural identity, traditional knowledge, and the environment, in accordance with their worldview and organizational structures. This definition should align with international standards such as ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples.

2. **Incorporate the definition into the national legal framework by amending Supreme Decree No. 004-2021-JUS** (Protocol to Guarantee the Protection of Human Rights Defenders) and its regulations, introducing specific, culturally relevant procedures.

3. **Create a national registry of indigenous human rights defenders,** jointly administered by the MINJUDH and the MINCUL, with direct participation of indigenous organizations in defining inclusion criteria and registration procedures.

4. **Establish differentiated protection measures that recognize the collective nature of the work** of indigenous defender's work, including territorial, cultural, and organizational dimensions. Protection must go beyond individual measures, prioritizing the prevention of criminalization and the strengthening of community self-protection capacities.

5. **Develop specific action protocols for law enforcement,** the justice system, and other state entities to ensure recognition and respect for the role of indigenous defenders, prevent their criminalization and promote intercultural dialogue.

6. **Implement prior consultation mechanisms with indigenous organizations** before any decision that may affect indigenous human rights defenders, guaranteeing their effective participation in the design and evaluation of protection policies.

7 Define specific institutional responsibilities

Conceptual and legal framework (Legal definition and regulatory adequacy)	▶ **MINJUSDH:** Leadership in the development of the differentiated legal definition and the amendment of Supreme Decree No. 004-2021-JUS, with emphasis on collective rights. ▶ **MINCUL:** Provision of specialized technical advice on indigenous worldview and culturally relevant standards. ▶ **National indigenous organizations:** Proposal of content and cultural validation of the legal definition from the perspective of indigenous peoples. ▶ **Congress of the Republic:** Approval of regulatory modifications and specific budget allocation for their implementation.
Identification and registration system (Formal recognition and systematization)	▶ **MINJUDH and MINCUL:** Joint administration of the national registry, ensuring interoperable and updated systems. ▶ **Regional Indigenous Organizations:** Direct participation in defining inclusion criteria and territorialized registration procedures. ▶ **Ombudsman's Office:** Independent oversight of the registry operation and the protection of personal data. ▶ **SUNARP:** Provision of technical support for information systems and interoperability with other state databases.
Differentiated and culturally relevant protection (Specific collective protection measures)	▶ **MININTER:** Implementation of territorial and community protection measures with a focus on collective security. ▶ **MINCUL:** Design and implementation of specific culturally and organizationally appropriate protection measures. ▶ **Regional governments:** Territorial implementation of protection measures with a guaranteed budget at the national level. ▶ **Indigenous organizations:** Strengthening of community self-protection capacities and early warning systems.
Institutional protocols (Respectful and differentiated state action)	▶ **National Police of Peru:** Development and implementation of action protocols with an intercultural and collective rights approach. ▶ **Public Prosecutor's Office:** Development of prosecutorial directives to prevent the criminalization of indigenous defenders. ▶ **Judiciary:** Adoption of specialized training and legal protocols with a collective indigenous rights perspective. ▶ **MINJUSDH:** Intersectoral coordination and oversight of protocol implementation.

Participation and consultation (Participation of indigenous organizations in protection policies)	▶ **MINCUL:** Implementation of specific prior consultation mechanisms for policies protecting indigenous defenders. ▶ **National and regional indigenous organizations:** Effective participation in the design, implementation and evaluation of protection policies. ▶ **Presidency of the Council of Ministers:** Coordination of prior intersectoral consultation and monitoring of compliance with commitments. ▶ **Ombudsman's Office:** Monitoring of compliance with standards for prior consultation and effective indigenous participation.
Financing and sustainability (Resources for effective implementation)	▶ **MEF:** Specific and intangible budget allocation for differentiated protection of indigenous defenders. ▶ **International cooperation:** Provision of specialized complementary technical and financial support for the protection of Indigenous defenders. ▶ **Regional governments:** Co-financing of territorial protection measures according to their regional fiscal capacity.

4.2.4 STRENGTHEN THE STATE'S PROTECTION OF NATIVE COMMUNITIES AGAINST THREATS

1. **Provide collective protection measures to native communities,** recognizing that risks are shared by the territory and the community organization, not solely by individuals.

2. **Establish community early warning systems** in coordination with state security entities, enabling the timely detection of territorial threats and the automatic activation of differentiated response protocols based on the type of risk identified.

3. **Ensure sufficient and timely funding for the effective implementation of protection measures,** establishing specific budget allocations in the Ministry of the Interior (MININTER) and regional governments.

4. **Facilitate threat reporting processes by ensuring that communities have clear, accessible, and language-based information** on how to identify a threat, where to report it, and how the process should be carried out, to reduce misinformation and manipulation attempts by external actors or corrupt officials.

5. **Raise awareness and train public officials about indigenous peoples** and their understanding of territory, collective rights, the threats faced by communities, and their key role as guarantors of the public interest.

6. **Establish mechanisms for monitoring and evaluating** the effectiveness of collective protection measures, with the participation of indigenous organizations in monitoring and periodically reporting results.

7 Define specific institutional responsibilities

Collective protection system (Structure and typology of community protection)	▶ **MININTER:** Design and implementation of the national collective protection system, with differentiated risk typologies and protocols. ▶ **National Police of Peru:** Territorial operationalization of collective protection measures and coordination with early warning systems. ▶ **MINJUDH:** Regulatory adaptation for legal recognition of collective indigenous protection. ▶ **Indigenous organizations:** Participation in the design of early warning systems and cultural validation of protection protocols.
Financing and sustainability (Resources to ensure protection)	▶ **MEF:** Allocation of specific budget with automatic transfer mechanisms. ▶ **MININTER:** Efficient management of resources for protection with quarterly account reporting. ▶ **Regional governments:** Co-financing of territorial protection measures according to fiscal capacity and coordination with the national level. ▶ **Comptroller General of the Republic:** Oversight of the proper use of resources allocated to the protection of native communities.
Access to justice and reporting route (Facilitation of processes and elimination of barriers)	▶ **MINCUL:** Translation of information material into indigenous languages and intercultural training for operators. ▶ **Ombudsman's Office:** Support in reporting processes and monitoring of the quality of the service provided to indigenous communities. ▶ **Regional governments:** Facilitation of territorial access to reporting services and case follow-up.
Strengthening of state capacities (Awareness raising and training of operators)	▶ **MINCUL:** Development of intercultural awareness content and supervision of training quality. ▶ **Indigenous organizations:** Participation as facilitators in awareness-raising processes and cultural validation of content.
Monitoring and evaluation (Monitoring effectiveness and continuous improvement)	▶ **National Center for Strategic Planning:** Design of the monitoring system with indicators of collective protection effectiveness. ▶ **Indigenous organizations:** Equal participation in monitoring and evaluation committees, with access to complete information. ▶ **INEI:** Provision of technical support in information systems and monitoring data processing. ▶ **Ombudsman's Office:** Independent oversight and quarterly public reporting of compliance and results.

4.2.5 RECOGNIZE AND STRENGTHEN COMMUNITY FORMS OF PROTECTION AS PART OF PUBLIC POLICY

1. **Legally recognize indigenous patrols, surveillance committees, and self-protection systems,** incorporating them as legitimate collective defense mechanisms into the national protection system, and ensuring that the information they provide is not leaked or used against them.

2. **Finance, institutionalize, and coordinate these community systems** through formal agreements between the State and indigenous organizations, ensuring their sustainability, autonomy, and coordination with the Intersectoral Mechanism for the Protection of Human Rights Defenders, including basic communication and transportation equipment.

3. **Promote legal, technical, and protection training for human rights defenders and their communities** by developing training programs on territorial rights, legal procedures, threat documentation techniques, and security protocols, in collaboration with indigenous organizations and specialized civil society organizations.

4. **Establish early warnings in areas with high concentration of risk and activate preventive measures** (state monitoring, technical and legal support, prosecutorial and police visits) before attacks occur.

5 Define specific institutional responsibilities

Legal recognition and legal framework (Regulatory institutionalization of community protection systems)	▶ **Congress of the Republic:** Enactment of a specific law recognizing and regulating indigenous patrols and community protection systems. ▶ **MINJUSDH:** Development of legal framework and information confidentiality protocols. ▶ **MINCUL:** Intercultural validation of the legal framework and support during prior consultation processes. ▶ **Indigenous organizations:** Participation in regulatory design and definition of culturally appropriate standards.
Financing and institutionalization (Economic and operational sustainability of community systems)	▶ **MEF:** Creation of a specific budget for community systems. ▶ **MININTER:** Administration of agreements and operational coordination with community protection systems. ▶ **Regional governments:** Territorial co-financing and logistical facilitation according to specific local contexts. ▶ **Indigenous organizations:** Direct management of resources and accountability according to their own governance systems.
Training and technical strengthening (Capacity-building for effective self-protection)	▶ **MINCUL:** General coordination of training programs with an intercultural and territorially differentiated approach. ▶ **Public Prosecutor's Office:** Specialized training in legal procedures and techniques for documenting threats. ▶ **Ombudsman's Office:** Training in human rights and protection mechanisms with a collective rights approach. ▶ **Civil society organizations:** Provision of specialized technical assistance and ongoing support to communities.
Early warning systems (Preventive monitoring and timely response to threats)	▶ **MININTER:** Implementation of technological monitoring systems and response protocols differentiated by risk level. ▶ **National Police of Peru:** Operationalization of preventive response with scheduled patrols and constant territorial presence. ▶ **Public Prosecutor's Office:** Prioritized activation of preventive investigations and precautionary measures in response to early warnings.

4.2.6
REFORM THE INTERSECTORAL MECHANISM TO ENSURE STRUCTURAL, COORDINATED AND PREVENTIVE PROTECTION

1. **Redesign the Intersectoral Mechanism to function as an effective coordination body,** with the MINJUSDH acting as the central coordinating authority, and clearly define the roles and responsibilities of all participating entities (e.g., MININTER, SERFOR, MIDAGRI, SERNANP, MINCUL, regional governments) according to their sectoral and territorial mandates.

2. **Incorporate an explicit structural prevention component** into the Mechanism's new design, including proactive measures such as territorial risk monitoring, preventive physical-legal regularization, and the identification of communal territories at risk due to illegal activities or overlapping conflicts.

3. **Establish specific and mandatory action protocols for each state entity involved,** with differentiated actions based on their jurisdiction and operational capacity, prioritizing the prevention and protection of indigenous defenders in untitled territories or high-risk areas.

4. **Ensure adequate, multi-year funding for the Intersectoral Mechanism,** not only for the MINJUSDH, but also for all participating entities, so that they can carry out their functions under the Mechanism, including protection, investigation, and oversight actions.

5. **Integrate the Mechanism with existing information systems** on territorial conflicts and land titling processes, in order to concentrate protection efforts in communities with greater exposure to threats and less legal security.

6. **Institutionalize the Intersectoral Mechanism through legislation,** granting it legal status and binding authority over all state entities, including regional and local governments, and defining inter-institutional accountability mechanisms.

7. **Guarantee the effective representation of indigenous organizations** in Regional Protection Roundtables, ensuring they have a voice and vote in the planning, monitoring, and evaluation of action plans, as well as in the definition of territorial alerts.

8. **Incorporate intercultural, territorial, and gender approaches** into the Mechanism's risk criteria and intervention design, recognizing the specific vulnerabilities of indigenous peoples, women defenders, isolated communities, and peoples in initial contact situation.

9 Define specific institutional responsibilities

Institutional redesign and coordination (Strengthening of the Mechanism's organizational architecture)	▶ **MINJUSDH:** Leadership in institutional redesign and intersectoral coordination as the central coordinating body. ▶ **MININTER:** Implementation of security protocols and coordination with law enforcement.
Structural prevention and territorial monitoring (Implementation of early risk identification systems)	▶ **MIDAGRI:** Prioritized implementation of preventive physical-legal regularization in identified risk areas. ▶ **SERFOR:** Monitoring of illegal activities in forest areas and early warnings. ▶ **MINAM:** Coordination of environmental monitoring systems and detection of territorial threats. ▶ **National Center for Strategic Planning:** Development of integrated territorial data systems and risk analysis.
Mandatory protocols and legal framework (Establishment of binding procedures and legal framework)	▶ **Congress of the Republic:** Enactment of a law institutionalizing the Mechanism with binding authority across all levels of government. ▶ **MINJUSDH:** Development of differentiated protocols according to specific institutional competencies. ▶ **Regional and local governments:** Territorial implementation of protocols adapted to specific local contexts. ▶ **Office of the Comptroller General of the Republic:** Oversight of compliance with protocols and inter-institutional accountability.
Financing and operational sustainability (Guarantee of sufficient resources for effective operation)	▶ **MEF:** Allocation of specific multi-year funds for all participating entities of the Mechanism. ▶ **MINJUSDH:** Efficient management of centralized resources and intersectoral budget coordination. ▶ **Regional governments:** Co-financing of territorial actions according to fiscal capacity and identified local priorities. ▶ **Indigenous organizations:** Participation in defining budget priorities and monitoring the use of resources.

4.2.7
IMPLEMENT DIFFERENTIATED PROTECTION FOR INDIGENOUS WOMEN DEFENDERS

1. **Develop differentiated care protocols** that recognize specific forms of violence against women defenders (sexual threats, gender-based delegitimization, domestic violence linked to their work), with tailored protection routes.

2. **Eliminate language and cultural barriers** with the aid of specialized interpreters, informational materials in indigenous languages, and operators trained in gender and interculturality.

3. **Ensure territorial access to justice services** by implementing mobile courts, itinerant prosecutors' offices, and culturally appropriate remote reporting systems for indigenous women.

4. **Establish specific protective measures** that consider reproductive and caregiving roles, including extended family protection and temporary financial support in high-risk situations.

5 Define specific institutional responsibilities

Differentiated protocols and specialized care (Development of specific procedures for women defenders)	▶ **Public Prosecutor's Office:** Creation of specialized protocols for violence against women defenders with gender and intercultural approaches. ▶ **MIMP:** Development of differentiated protocols and intersectoral coordination in cases of gender-based violence. ▶ **MINJUSDH:** Adaptation of the Intersectoral Mechanism with a specific focus on women defenders. ▶ **Indigenous women's organizations:** Participation in the design of protocols and cultural validation of specialized procedures.
Elimination of language and cultural barriers (Communicational accessibility and cultural relevance)	▶ **MINCUL:** Provision of specialized interpreters and development of informational materials in indigenous languages. ▶ **Judiciary:** Periodic and mandatory training of operators in gender and interculturality. ▶ **Ombudsman's Office:** Specialized support and supervision of the quality of intercultural and gender-based care. ▶ **Civil society organizations:** Technical assistance and direct support to women defenders during judicial proceedings.
Specific protection measures with a care approach (Comprehensive protection considering reproductive and family roles)	▶ **MIDIS:** Temporary financial support and extended family protection programs. ▶ **MININTER:** Protective measures that consider the family and community dynamics specific to indigenous women. ▶ **Regional governments:** Coordination of local support and protection services based on a territorial and gender approach. ▶ **Indigenous women's organizations:** Community support networks and mentoring among women defenders.

REFERENCES

AIDESEP (2023). *Súmate a la defensa de los PIACI* [Join the Defense of PIACI].
https://aidesep.org.pe/wp-content/uploads/2023/03/Documento-Informativo-sobre-PIACI_FINAL_190323_lite-1.pdf

AIDESEP, CONAP, World Bank Group & WWF (2021). *MDE Saweto Perú: Memoria Viva* [MDE Saweto Peru: Living Memory].
https://aidesep.org.pe/wp-content/uploads/2022/01/mde_saweto_memoria_viva.pdf

Alberto Romero Ramón (2019). *La titulación de tierras en comunidades nativas. 40 años después: La titulación de tierras en comunidades nativas* [Land Titling in Native Communities. Forty Years Later: Land Titling in Native Communities].
https://cedia.org.pe/ver/la-titulacion-de-tierras-en-comunidades-nativas/

Amnesty International (2018). *Una receta para criminalizar: Personas defensoras del ambiente, el territorio y la tierra en Perú y Paraguay* [A Recipe for Criminalization: Environmental, Territorial, and Land Rights Defenders in Peru and Paraguay].
www.amnesty.org/es/documents/amr01/8158/2018/es/

Arriaga Legarda, A. & Pardo Buendía, M. (2011). *Justicia ambiental. El estado de la cuestión* [Environmental Justice: The State of the Question]. Revista Internacional de Sociología. 69 (3), 627–648. doi:10.3989/ris.2009.12.210.

Arredondo Villar, C., & Ríos, C. (2024). Diagnóstico interseccional sobre el contexto y la situación del delito de trata de personas y explotación sexual en Lima, Madre de Dios y Piura. Actualización post-COVID [Intersectional Assessment of the Context and Situation of Human Trafficking and Sexual Exploitation in Lima, Madre de Dios, and Piura. Post-COVID Update]. Centro de Promoción y Defensa de los Derechos Sexuales y Reproductivos.
https://promsex.org/wp-content/uploads/2025/02/Act-post-Covid-Trata-de-personas_PROMSEX_31-ene-1.pdf

Arredondo, C.; López, A.; Tello, D; & Lazo, R. *TRABAJO FORZOSO SEXUAL Y DOMÉSTICO EN MUJERES INDÍGENAS: experiencias en dos cadenas de explotación humana en Loreto* [Sexual and Domestic Forced Labor in Indigenous Women: Experiences in Two Human Exploitation Chains in Loreto]. CHS Alternativo, USAID.
https://drive.google.com/file/d/10eNd9s9cgy5iYPBB68pEUGxb0CUKIcWi/view

Astete Muñoz, P., & Guerrero Vásquez, R. (2022). *Informe sobre la situación y contexto del delito de trata de personas y la explotación sexual en las regiones de Madre de Dios y Piura* [Report on the Context and Situation of Human Trafficking and Sexual Exploitation in the Regions of Madre de Dios and Piura]. PROMSEX.
https://promsex.org/wp-content/uploads/2022/02/InformeSobreLaSituacionYContextoDelDelitoDeTrataDePersonas-YLaExplotacionSexual.pdf

Baldovino, S., Caillaux, J., Capella, J.L., Monteferri, B., Pulgar-Vidal, M., & Sandoval, M. (2009). Hacia la construcción de una nueva visión de la Amazonía [Towards the Construction of a New Vision of the Amazon]. *Revista Argumentos,* (3). Retrieved from
https://argumentos-historico.iep.org.pe/articulos/hacia-la-construccion-de-una-nueva-vision-de-la-amazonia/

Begert, B., Sarmiento Barletti, J.P., & Guerra Loza, M.A. (2021, December 21). *La titulación de los territorios indígenas no basta para asegurar medios de vida sostenibles: Lecciones desde la Amazonía peruana* [Titling Indigenous Territories Is Not Enough to Secure Sustainable Livelihoods: Lessons from the Peruvian Amazon]. Forests News – CIFOR-ICRAF.
https://forestsnews.cifor.org/75653/la-titulacion-de-los-territorios-indigenas-no-basta-para-asegurar-medios-de-vida-sostenibles

Burneo, M. L. (2025, abril 27). *Ley 32293 amenaza territorios comunales* | Al Filo [Video]. [Act 32293 Threatens Communal Territories | Al Filo] YouTube.
https://www.youtube.com/watch?v=jiFHWhXFulM

Butler, J. (2005). Regulaciones de género [Gender Regulations]. La ventana [Thee Window]. *Revista de estudios de género,* 3, (23), 7 - 36.

Casement, R. (2012). *Libro Azul Británico: Informes de Roger Casement y otras cartas sobre las atrocidades en el Putumayo* [The British Blue Book: Reports by Roger Casement and Other Letters on the Atrocities in the Putumayo]. Lima: Centro Amazónico de Antropología y Aplicación Práctica (CAAAP)

Castro, A. (2021). Autoridades cómplices: más de 40 funcionarios investigados por deforestación en la Amazonía [Complicit Authorities: More Than 40 Officials Investigated for Deforestation in the Amazon]. *Ojo Público.* 25 January.
https://ojo-publico.com/2436/autoridades-y-complices-42-investigados-por-deforestacion

Carrere, M. (2022, November 3). *Perú: comunidades indígenas multadas denuncian que traficantes de madera las estafan* [Peru: Fined Indigenous Communities Report That Timber Traffickers Are Defrauding Them]. Mongabay Latam.
https://es.mongabay.com/2022/11/comunidades-indigenas-de-peru-multadas-denuncian-que-traficantes-de-madera-las-estafan/

Catip, D., Nunta, R., & Dongo, M. (2019). *Enfoque de género en contextos extractivos y de infraestructura en la Amazonía peruana: Políticas públicas y percepciones de mujeres indígenas amazónicas* [Gender Approach in Extractive and Infrastructure Contexts in the Peruvian Amazon: Public Policies and Perceptions of Indigenous Amazonian Women]. Derecho, Ambiente y Recursos Naturales (DAR).

CEPES (2025). *Pronunciamiento | FRENTE A UN NUEVO ACTO DE DESPOJO A LAS COMUNIDADES CAMPESINAS – CEPES SE PRONUNCIA* [Statement | IN THE FACE OF A NEW ACT OF DISPOSSESSION AGAINST PEASANT COMMUNITIES – CEPES ISSUES A STATEMENT]. April 12, 2025. CENTRO PERUANO DE ESTUDIOS SOCIALES.
https://cepes.org.pe/2025/04/12/pronunciamiento-frente-a-un-nuevo-acto-de-despojo-a-las-comunidades-campesinas-cepes-se-pronuncia/
[Accessed: April 15, 2025].

Chirif, A. & García Hierro, P. (2007). *Marcando territorio: Progresos y limitaciones de la titulación de territorios indígenas en la Amazonía* [Marking Territory: Progress and Limitations in the Titling of Indigenous Territories in the Amazon]. https://centroderecursos.cultura.pe/sites/default/files/rb/pdf/MARCANDO_TERRITORIO%20Progresos%20y%20limitaciones%20de%20la%20titulacion%20de%20territorios%20indigenas%20en%20la%20Amazonia.pdf

Chirif, A. (2017). *Después del caucho* [After Rubber]. Lima: Lluvia Editores, CAAAP, IWGIA, IBC.

CIFOR, ONAMIAP & Rights and Resources Initiative (2017). *Los derechos de las mujeres indígenas y los desafíos para los proyectos de titulación de la propiedad comunal en el Perú: Resumen político* [Indigenous Women's Rights and the Challenges for Communal Land Titling Projects in Peru: Policy Brief]. RRI. https://rightsandresources.org

Congress of the Republic of Peru (1993). *Constitución Política del Perú* (Art. 89) [Political Constitution of Peru (Art. 89)]. https://www2.congreso.gob.pe/sicr/tradocestproc/clproley2001.nsf/pley/A8912E779CCE469705256D25005D327E?opendocument

Congress of the Republic of Peru (1987). *Ley N.° 24656: Ley General de Comunidades Campesinas* [Act No. 24656: General Act on Peasant Communities]. https://www2.congreso.gob.pe/sicr/cendocbib/con3_uibd.nsf/1DAB0BF2E43B8FBB0525797B006DE3C0/%24FILE/1_LEY_24656_Ley_General_Comunidades_Campesinas_SPIJ.pdf

International Convention on the Elimination of All Forms of Racial Discrimination (CERD) (2009). EXAMEN DE LOS INFORMES PRESENTADOS POR LOS ESTADOS PARTE DE CONFORMIDAD CON EL ARTÍCULO 9 DE LA CONVENCIÓN. Observaciones finales del Comité para la Eliminación de la Discriminación Racial [Review of the Reports Submitted by the States Parties under Article 9 of the Convention. Concluding Observations of the Committee on the Elimination of Racial Discrimination]. United Nations. https://acnudh.org/wp-content/uploads/2010/12/CERD-2009-Per%C3%BA.pdf

Inter-American Court of Human Rights (2001, August 31). Caso de la Comunidad Mayagna (Sumo) Awas Tingni Vs. Nicaragua: Sentencia de 31 de agosto de 2001 (Fondo, Reparaciones y Costas) [Case of the Mayagna (Sumo) Awas Tingni Community v. Nicaragua: Judgment of August 31, 2001 (Merits, Reparations and Costs)]. www.corteidh.or.cr/docs/casos/articulos/Seriec_79_esp.pdf

Coloma Maldonado, C. (2021). Pueblos indígenas en el contexto del cambio climático: Tratamiento en la Convención Marco de las Naciones Unidas sobre el Cambio Climático (Memoria de licenciatura, Universidad de Chile, Facultad de Derecho) [Indigenous Peoples in the Context of Climate Change: Treatment under the United Nations Framework Convention on Climate Change]. https://repositorio.uchile.cl/bitstream/handle/2250/185900/Pueblos-indigenas-en-el-contexto-del-cambio-climatico-tratamiento-en-la-Convenci%C3%B3n.pdf?sequence=1&utm

Cruz Chuchullo, H.N. (2025, abril 10). *La Ley N.° 32293 y el despojo legalizado: El Congreso lo hizo otra vez, nueva Ley inconstitucional contra Comunidades Campesinas.* Derechos Sin Fronteras. https://derechosinfronteras.pe/la-ley-n-o-32293-y-el-despojo-legalizado-el-congreso-lo-hizo-otra-vez-nueva-ley-inconstitucional-contra-comunidades-campesinas-y-nativas/

Dávila, E. (2024). Modificación de la Ley Forestal pone en peligro nuestra Amazonía [Amendment to the Forestry Law Endangers Our Amazon]. February 2, 2024. PuntoEdu PUCP [PuntoEdu PUCP]. https://puntoedu.pucp.edu.pe/coyuntura/modificacion-de-la-ley-forestal-pone-en-peligro-nuestra-amazonia/

Defensoría del Pueblo (2017) [Office of the Ombudsman]. *Deforestación por cultivos agroindustriales de palma aceitera y cacao: Entre la ilegalidad y la ineficacia del Estado* [Deforestation from Agro-Industrial Oil Palm and Cocoa Plantations: Between Illegality and State Ineffectiveness]. Serie Informes de Adjuntía – Report N° 001-2017-DP/AMASPPI.MA. https://www.defensoria.gob.pe/wp-content/uploads/2018/05/Informe-de-Adjuntia-001-2017-DP-AMASPPI.MA-1.pdf

Defensoría del Pueblo (2018) [Office of the Ombudsman]. *El largo camino hacia la titulación de las comunidades campesinas y nativas* [The Long Road Toward Titling Peasant and Indigenous Communities]. Informe de Adjuntía No. 002-2018-DP/AMASPPI-PPI. www.defensoria.gob.pe/wp-content/uploads/2019/01/Informe-de-Adjunt%C3%ADa-N%C2%BA-002-2018-DP-AMASPPI-PPI.pdf

Dietz, Gunther (2016). Multiculturalismo, interculturalidad y diversidad en educación. Una aproximación antropológica [Multiculturalism, Interculturality and Diversity in Education: An Anthropological Approach]. ISBN 978-607-16-0948-9. https://www.uv.mx/personal/cujimenez/files/2019/08/Dietz-2016-libro-Multiculturalismo-reimpresi%C3%B3n.pdf

Diez Hurtado, A. (Ed.) (2012). *Tensiones y transformaciones en comunidades campesinas* [Tensions and Transformations in Peasant Communities]. CISEPA-PUCP [CISEPA–PUCP].

Ermeto Tuesta (2022). Situación de la titulación de Unipacuyacu y de la georreferenciación de comunidades nativas kakataibo [Status of the Titling of Unipacuyacu and the Georeferencing of Kakataibo Indigenous Communities]. In: *Despojo y violencia en Unipacuyacu. Impacto de la falta de titulación en comunidades kakataibo* [Dispossession and Violence in Unipacuyacu: Impact of the Lack of Land Titling on Kakataibo Communities]. https://ibcperu.org/wp-content/uploads/Despojo_y_violencia_WEB.pdf

Global Witness (2024). *La violencia contra las personas defensoras de la tierra y el medioambiente* [Violence Against Land and Environmental Defenders]. https://globalwitness.org/documents/675/Global_Witness_Land_And_Environmental_Defenders_Sep_2024_Report_Spanish_GAJ01m_ilJU8a7.pdf

Gudynas, E. (2018). Extractivismos: el concepto, sus expresiones y sus múltiples violencias [Extractivisms: The Concept, Its Expressions, and Its Multiple Forms of Violence]. (143), 61–70.

Huamaní Mujica, S. (2021). *Análisis del funcionamiento de los fondos climáticos y de otras fuentes para el saneamiento físico y legal de las comunidades nativas del Perú 2011-2020* [Analysis of the Operation of Climate Funds and Other Sources for the Physical and Legal Regularization of Native Communities in Peru, 2011–2020].

Instituto de Defensa Legal. (2021). Comunidad indígena de Ucayali pide auxilio al Ejecutivo por el acoso del narcotráfico [Indigenous Community in Ucayali Appeals to the Executive over Harassment by Drug Trafficking]. Instituto de Defensa Legal [Legal Defense Institute]. www.idl.org.pe/comunidad-indigena-de-ucayali-pide-auxilio-al-ejecutivo-por-el-acoso-del-narcotrafico/

Instituto de Defensa Legal (2025). A casi 11 años del crimen del caso Saweto, se inicia la audiencia de apelación clave para la búsqueda de justicia [Nearly 11 Years After the Saweto Murders, a Key Appeal Hearing Begins in the Pursuit of Justice]. April 7, 2025. IDL | Instituto de Defensa Legal [IDL | Legal Defense Institute]. https://www.idl.org.pe/a-casi-11-anos-del-crimen-del-caso-saweto-se-inicia-la-audiencia-de-apelacion-clave-para-la-busqueda-de-justicia/

Instituto del Bien Común (2016). *Informe 2016: Tierras Comunales* [2016 Report: Communal Lands]. https://www.ibcperu.org/wp-content/uploads/2016/05/Informe-2016-TIERRAS-COMUNALES_lg.pdf

Instituto del Bien Común (s.f.). SICCAM: Información sobre Comunidades Campesinas [SICCAM: Information on Peasant Communities]. https://ibcperu.org/servicios/siccam-informacion-sobre-comunidades-campesinas/

Instituto Nacional de Estadística e Informática (2018) [National Institute of Statistics and Information technology]. *Censos Nacionales 2017: XII de Población, VII de Vivienda y III de Comunidades Indígenas. La autoidentificación étnica: Población indígena y afroperuana – Capítulo 3.2: Población indígena u originaria de la Amazonía* [2017 National Censuses: XII Population, VII Housing, and III Indigenous Communities. Ethnic Self-Identification: Indigenous and Afro-Peruvian Population – Chapter 3.2: Indigenous or Native Amazonian Population]. https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib1642/cap03_02.pdf

Kameri-Mbote, P. & Cullet, P. (1996). *Environmental Justice and Sustainable Development.*

Labán Martínez, P. (2025). ¿Formalizando el despojo territorial? Alcances de la modificatoria a ley que declara de necesidad nacional e interés social el deslinde y la titulación del territorio de las comunidades campesinas [Formalizing Territorial Dispossession? Scope of the Amendment to the Act Declaring the Demarcation and Titling of Peasant Community Territories a Matter of National Need and Social Interest]. April 12, 2025. IDL | Instituto de Defensa Legal [IDL | Legal Defense Institute]. https://www.idl.org.pe/ley-24657-formalizando-el-despojo-territorial-alcances-de-la-modificatoria-a-ley-que-declara-de-necesidad-nacional-e-interes-social-el-deslinde-y--la-titulacion-del-territorio-de-las-comunidade/

Lazo Landívar, R y Arredondo Villar, C. (2021). La ecología social de la violencia sexual en los pueblos awajún y wampis de Amazonas. En *Conflicto y justicia en comunidades campesinas, comunidades nativas y rondas campesinas en el Perú.* Amelia Alva Arévalo, Enith Pinedo Bravo y Erika León Angulo (compiladoras). [The Social Ecology of Sexual Violence among the Awajún and Wampis Peoples of Amazonas. In *Conflict and Justice in Peasant Communities, Native Communities, and Peasant Patrols in Peru.* Amelia Alva Arévalo, Enith Pinedo Bravo, and Erika León Angulo (compilers).] ISBN: 978-612-4484-25-4. DOI: 10.35292/pj.gob.pe/book/978-612-4484-25-4

Lazo Landívar, R.J., Arredondo Villar, C., & Atamain Uwarai, Y. (2022). *Violencia sexual en el mundo awajún: Historias de mujeres de tres generaciones en el corredor Chiriaco-Imacita* [Sexual Violence in the Awajún World: Stories of Women from Three Generations in the Chiriaco–Imacita Corridor]. Ministry of Education. https://repositorio.minedu.gob.pe/handle/20.500.12799/8560

Lazo Landívar, R. J., Arredondo Villar, C., Pipa, U., & Brehaut, I. (2024). Narcogobernanza, trabajo forzoso y los Tikuna: La cadena productiva de la cocaína en Mariscal Ramón Castilla, Loreto, Perú [Narco-Governance, Forced Labor, and the Tikuna: The Cocaine Supply Chain in Mariscal Ramón Castilla, Loreto, Peru]. CHS Alternativo, USAID, USDOL.

MAAP (2024). MAAP #218: *Asesinatos de los defensores ambientales en la Amazonía peruana* [MAAP #218: Killings of Environmental Defenders in the Peruvian Amazon]. https://www.maaprogram.org/es/maap-218-asesinatos-de-los-defensores-ambientales-en-la-amazonia-peruana/#:~:text=MAAP%20%23218%3A%20Asesinatos%20de%20los%20defensores%20ambientales%20en%20la%20Amazon%C3%ADa%20peruana,-agosto%2023%2C%202024&text=Se%20estima%20que%2029%20ambientalistas,por%20invasores%20(RAISG%202022).

María Rosa Montes (2022). Esto no es vida. Cuatro décadas de lucha por el territorio kakataibo [This Is Not Life: Four Decades of Struggle for Kakataibo Territory]. In: *Despojo y violencia en Unipacuyacu. Impacto de la falta de titulación en comunidades kakataibo* [Dispossession and Violence in Unipacuyacu: Impact of the Lack of Titling on Kakataibo Communities]. Margarita Benavides and María Rosa Montes (editors). IBC. https://ibcperu.org/wp-content/uploads/Despojo_y_violencia_WEB.pdf

Martel, S. (2024). Congreso: Proyecto de ley busca cambios en concesiones mineras [Congress: Bill Seeks Changes in Mining Concessions]. September 16, 2024. Rumbo Minero. www.rumbominero.com/peru/noticias/mineria/congreso-proyecto-de-ley-busca-cambios-en-concesiones-mineras/

Martínez, A.N. & Rosenfeld, A. (2005). Las cuestiones de género en los instrumentos jurídicos internacionales de protección ambiental [Gender Issues in International Legal Instruments for Environmental Protection]. https://repo.unlpam.edu.ar/handle/unlpam/5157. https://repo.unlpam.edu.ar/handle/unlpam/5310

Miguel Macedo, P.T. & Sandra Ríos (2022). D*eforestación, presiones y amenazas sobre el territorio Kakataibo 2000–2022* [Deforestation, Pressures and Threats to Kakataibo Territory, 2000–2022]. In: IBC. https://ibcperu.org/wp-content/uploads/Despojo_y_violencia_WEB.pdf

MINAGRI & SERFOR (2017). Las concesiones forestales en el Perú [Forest Concessions in Peru]. *Ministry of Agriculture and Irrigation.* http://repositorio.midagri.gob.pe:80/jspui/handle/20.500.13036/548

Ministry of Agriculture and Irrigation. (2016, August 12). *Resolución Ministerial N.º 0435-2016-MINAGRI: Aprueban los "Lineamientos para la ejecución del Procedimiento de Reconocimiento e Inscripción Administrativa de la Personería Jurídica de Comunidades Nativas"* [Ministerial Resolution No. 0435-2016-MINAGRI: Approving the "Guidelines for Implementing the Procedure for Recognition and Administrative Registration of the Legal Status of Native Communities"]. Diario Oficial El Peruano [Official Gazette El Peruano]. https://www.midagri.gob.pe/portal/download/pdf/marcolegal/normaslegales/resolucionesministeriales/2016/agosto/rm435-2016-minagri.pdf

Ministry of Culture (2015). Derecho a la Consulta Previa. Guía Metodológica para la Facilitación de Procesos de Consulta Previa [Right to Prior Consultation: Methodological Guide for Facilitating Prior Consultation Processes].
https://consultaprevia.cultura.gob.pe/sites/default/files/pi/archivos/Gu%C3%ADa%20metodol%C3%B3gica%20para%20la%20facilitaci%C3%B3n%20de%20procesos%20de%20consulta%20previa.pdf

Ministry of Culture (2025). *Buscador de localidades de pueblos indígenas* | BDPI [Indigenous Peoples' Localities Finder | BDPI]. 2025.
https://bdpi.cultura.gob.pe/buscador-de-localidades-de-pueblos-indigenas [Accessed: April 14, 2025].

Ministry of Culture (2024). *Los PIACI son peruanos como tú* [PIACI Are Peruvians Like You]. August 7, 2024.
https://www.gob.pe/institucion/cultura/campa%C3%B1as/38597-los-piaci-son-peruanos-como-tu [Accessed: April 14, 2025].

Ministry of Energy and Mining (2015). Report No. 797-2015-MEM/DGAAE/DNAE/DGAE/RCO/SED/CIM.
https://consultaprevia.cultura.gob.pe/sites/default/files/procesos/archivos/Informe%20final%20de%20consulta%20Lote%20192%20%282015%29.pdf

Ministry of Justice and Human Rights (2025). *Consulta información estadística sobre situaciones de riesgo contra personas defensoras de derechos humanos* [Consult about Statistical Information on Risk Situations Faced by Human Rights Defenders].
https://sidehri.minjus.gob.pe/sidehri-frontend/#/ciudadano

Mongabay Latam (2024). *Los vuelos de la muerte: líderes indígenas asesinados en un territorio invadido por 67 narcopistas* [Flights of Death: Indigenous Leaders Murdered in a Territory Invaded by 67 Narco-Runways]. November 12, 2024. Noticias ambientales [Environmental News].
https://es.mongabay.com/custom-story/los-vuelos-de-la-muerte-lideres-indigenas-asesinados-6-narcopistas/ [Accessed: November 25, 2024].

Mongabay Latam (2024, February 17). Droga de alto vuelo en Perú: comunidades nativas de Atalaya viven sitiadas por el narcotráfico y más de 30 pistas clandestinas [High-Flying Drug Trade in Peru: Native Communities in Atalaya Besieged by Drug Trafficking and Over 30 Clandestine Airstrips]. Mongabay Latam.
https://es.mongabay.com/2024/11/droga-de-alto-vuelo-en-peru-comunidades-nativas-de-atalaya-viven-sitiadas-por-el-narcotrafico-y-mas-de-20-pistas-clandestinas/

Montaño, F. (2022, 28 de junio). *Madereros usaron permisos de pueblos indígenas para tala ilegal en la Amazonía* [Loggers Used Indigenous Peoples' Permits for Illegal Logging in the Amazon]. Ojo Público.
https://ojo-publico.com/ambiente/territorio-amazonas/se-uso-permisos-forestales-pueblos-indigenas-para-la-tala-ilegal

Monterroso, I., Cronkleton, P., Pinedo, D. & Larson, A.M. (2017). *Reivindicación de derechos colectivos: Reformas de tenencia de tierras y bosques en el Perú (1960-2016)* [Claiming Collective Rights: Reforms in Land and Forest Tenure in Peru (1960–2016)]. doi:10.17528/cifor/006426

Monterroso, I. & Larson, A.M. (2018). Avances del proceso de formalización de derechos de comunidades nativas en la Amazonía peruana (2014–2018) [Progress in the Process of Formalizing Rights of Native Communities in the Peruvian Amazon (2014–2018)]. 6 June 2018. CIFOR-ICRAF [CIFOR-ICRAF]. doi:10.17528/cifor/006906

Monterroso, I., Larson, A.M., Gutiérrez, Y., Quaedvlieg, J. & Jarama, L. (2019). *Guía práctica para el proceso de titulación de comunidades nativas – CIFOR* [Practical Guide to the Titling Process for Native Communities – CIFOR].
https://www.cifor-icraf.org/publications/pdf_files/Books/BMonterroso1901.pdf

Mujica, J., & Cavagnoud, R. (2011). El cuerpo: Mecanismos de explotación sexual de niñas y adolescentes en los alrededores del puerto fluvial de Pucallpa [The Body: Mechanisms of Sexual Exploitation of Girls and Adolescents around the River Port of Pucallpa]. Anthropía, 29(29), 101–131.
http://www.scielo.org.pe/pdf/anthro/v29n29/a05v29n29.pdf

OHCHR (2024). Peru: Changes to forestry law will threaten survival of indigenous peoples, UN expert warns. 2024. OHCHR [Office of the High Commissioner for Human Rights].
https://www.ohchr.org/en/press-releases/2024/02/peru-changes-forestry-law-will-threaten-survival-indigenous-peoples-un

Ojo Público (2022). Narcotráfico en Ucayali: decenas de pistas de aterrizaje clandestinas en el corazón de la Amazonía peruana [Drug Trafficking in Ucayali: Dozens of Clandestine Airstrips in the Heart of the Peruvian Amazon]. Ojo Público.
https://ojo-publico.com/4360/las-narcopistas-se-extienden-el-corazon-la-amazonia-peruana

ORAU, DAR & ProPurús (2022). Situación de defensores indígenas en Ucayali [Situation of Indigenous Defenders in Ucayali].
https://dar.org.pe/wp-content/uploads/2022/02/Situacion-de-los-defensores-indigenas.pdf

ORAU & ProPurús (2025). *Situación de los defensores indígenas en Ucayali 2024, manuscrito no publicado* [Situation of Indigenous Defenders in Ucayali 2024, Unpublished Manuscript].

Oxfam Perú (2018). Tráfico de tierras en Ucayali: apuntes para comprender el fenómeno [Land Trafficking in Ucayali: Notes to Understand the Phenomenon]. Oxfam en Perú (Oxfam in Peru].
https://peru.oxfam.org/lo-%C3%BAltimo/blogs/trafico-de-tierras-en-ucayali-apuntes-para-comprender-el-fenomeno

Palacios Rojo, G. (2019). *¿Queremos ser madres?: vivencias y significados del embarazo adolescente en la comunidad nativa Nuevo Paraíso, Ucayali* [Do We Want to Be Mothers? Experiences and Meanings of Teenage Pregnancy in the Native Community of Nuevo Paraíso, Ucayali].
http://hdl.handle.net/20.500.12404/13878

Peña Jumpa, A. (2012). La propiedad originaria en América: el derecho de propiedad en las comunidades andinas y amazónicas del Perú [Aboriginal Ownership in the Americas: Property Rights in Andean and Amazonian Communities of Peru]. IUS ET VERITAS. (45), 254–272.

Perupetro (2025). *Mapa de Lotes de contrato* [Map of Contract Plots]. 2025.
https://perupetro.maps.arcgis.com/apps/webappviewer/index.html?id=cc883917c55a4264a01debfa02585e2e [Accessed: April 14, 2025].

Peter Cronkleton, J.S.S. & Frangi Valencia, A. L. (2019). *Avances y desafíos para la titulación de comunidades nativas en Perú. Perspectivas de doce comunidades en San Martín y Ucayali* [Progress and Challenges for Titling Native Communities in Peru: Perspectives from Twelve Communities in San Martín and Ucayali]. CIFOR [CIFOR].

PNUD (2023). *INFORME DE CIERRE DEL PROYECTO PNUD DCI. ETAPA 2* [CLOSING REPORT OF THE UNDP DCI PROJECT. STAGE 2]. https://nuestrodesafioclimatico.minam.gob.pe/wp-content/uploads/2024/05/Informe-final-PNUD-DCI_2023.pdf

Ponce, T. (2024). Ecos de Resistencia: Los impactos diferenciados de la expansión de la palma aceitera en mujeres indígenas y mestizas de la amazonía peruana [Echoes of Resistance: The Differentiated Impacts of Oil Palm Expansion on Indigenous and Mixed Race Women in the Peruvian Amazon]. https://oi-files-cng-v2-prod.s3.eu-west-2.amazonaws.com/peru.oxfam.org/s3fs-public/Ecos%20de%20Resistencia%20-HxH_0.pdf?VersionId=EW8vH4B_N9PAag06.80pK1cskoHBdV3o

Proyecto Prevenir de USAID & Oxfam (2024). *Defensoras ambientales en la Amazonía peruana. Riesgos, necesidades y oportunidades para su protección* [Environmental Women Defenders in the Peruvian Amazon: Risks, Needs, and Opportunities for Their Protection]. https://oi-files-cng-v2-prod.s3.eu-west-2.amazonaws.com/peru.oxfam.org/s3fs-public/Defensoras%20ambientales%20en%20la%20Amazon%C3%ADa%20peruana_Oxfam_USAID-.pdf?VersionId=Jrladmp6lbjpZ4.5RjRtfMc8ryhtqDWD

PUINAMUDT (2023, March 8). *Gobierno reactivará Lote 192 sin cumplir con remediación ambiental y derechos de las comunidades* [Government Will Reactivate Lot 192 without Complying with Environmental Remediation and Community Rights]. Observatorio Petrolero de la Amazonía Norte [Northern Amazon Oil Observatory]. https://observatoriopetrolero.org/gobierno-reactivara-lote-192-sin-cumplir-con-remediacion-ambiental-y-derechos-de-las-comunidades/

Ramírez Guevara, S.J., Galindo Mendoza, M.G. & Contreras Servín, C. (2015). Justicia ambiental: Entre la utopía y la realidad social [Environmental Justice: Between Utopia and Social Reality]. *Culturales.* 3 (1), 225–250.

Rivera Cervantes, F. (2018). La seguridad jurídica y la Constitución Peruana pública: garantías a la ciudadanía [Legal Certainty and the Public Peruvian Constitution: Guarantees for Citizens]. *Diario El Peruano.* October 9. http://elperuano.pe/suplementosflipping/juridica/#000/web/index.html

Rocca Galarza, J. & Pauccar Meza, N. (2016). *Seguridad Jurídica Territorial de las Comunidades Campesinas de Cusco: Un diagnóstico participativo desde los pueblos indígenas organizados* [Territorial Legal Security of Peasant Communities in Cusco: A Participatory Diagnosis from Organized Indigenous Peoples]. https://www.cna.org.pe/wp-content/uploads/2018/01/publicacion_Seguridad_juridica_territorial_Cusco.pdf

Ruiz Molleda, J.C. (2025). ¿Por qué la sentencia del Tribunal Constitucional sobre la Ley Antiforestal es un grave retroceso? [Why Is the Constitutional Court's Ruling on the Anti-Forestry Act a Serious Setback?] April 1, 2025. IDL | Instituto de Defensa Legal [IDL | Legal Defense Institute]. www.idl.org.pe/por-que-la-sentencia-del-tribunal-constitucional-sobre-la-ley-antiforestal-es-un-grave-retroceso/

Ruiz Molleda, J.C. & Gavancho León, O.C. del R. (2022). *La «cesión de uso» como mecanismo de despojo territorial de las comunidades nativas en el Perú* ["Use Concession" as a Mechanism of Territorial Dispossession of Native Communities in Peru]. (130), 119–138.

Running-Grass (1995). Environmental Education and Environmental Justice: A Three Circles Perspective. *Pathways to Outdoor Communication.* 5 (1), 9–13.

Salas, F. M. (2022). La economía política de la ambigüedad del reconocimiento: derechos colectivos de los pueblos indígenas bajo el neoliberalismo à la peruana (1990–2000) [The Political Economy of the Ambiguity of Recognition: Collective Rights of Indigenous Peoples under Peruvian-Style Neoliberalism (1990–2000)]. La Colmena, (15), 51–62. https://doi.org/10.18800/lacolmena.202201.003

Scott, J. (1990). El género: una categoría útil para el análisis histórico. En Nash y Amelang (Eds.) Historia y género 23–56 o: las mujeres en la Europa moderna y contemporánea. Valencia: Alfons el Magnanim [Gender: A Useful Category of Historical Analysis. In Nash and Amelang (eds.), History and Gender 23–56, or Women in Modern and Contemporary Europe. Valencia: Alfons el Magnànim].

SERFOR (2024). Guía Metodológica para la Zonificación Forestal [Methodological Guide for Forest Zoning]. *Servicio Nacional Forestal y de Fauna Silvestre* [National Forest and Wildlife Service]. https://repositorio.serfor.gob.pe/handle/SERFOR/965

SERNANP (2025). *Listado oficial de las Áreas Naturales Protegidas* [Official List of Protected Natural Areas]. https://www.gob.pe/institucion/sernanp/informes-publicaciones/2560580-listado-oficial-de-las-areas-naturales-protegidas

SERNANP (n.d.). *Reservas Comunales - Compendio* [Communal Reserves – Compendium]. https://www.gob.pe/institucion/sernanp/colecciones/3247-reservas-comunales [Accessed: 14 April 2025].

Sierra Praeli, Y. (2023). *Saweto: casi una década de amenazas en la comunidad indígena que perdió a sus cuatro líderes* [Saweto: Nearly a Decade of Threats in the Indigenous Community that Lost Its Four Leaders]. March 1, 2023. Mongabay. https://es.mongabay.com/2023/03/amenazas-en-la-comunidad-indigena-saweto/ [Accessed: April 14, 2025].

Sierra Praeli, Y. (2025, marzo). Estudio muestra el impacto del extractivismo y la ilegalidad en la vida de las mujeres en la Amazonía de Perú y Colombia [Study Shows the Impact of Extractivism and Illegality on Women's Lives in the Amazon of Peru and Colombia]. Mongabay. https://es.mongabay.com/2025/03/extractivismo-violencia-contra-mujeres-ilegalidad-amazonia-peru-y-colombia/

Silva Santisteban, R. (2017). Mujeres y conflictos ecoterritoriales. Impactos, estrategias, resistencias [Women and Eco-Territorial Conflicts: Impacts, Strategies, Resistance]. Entrepueblos, AIETI, Demus, CMP Flora Tristán, Coordinadora Nacional de Derechos Humanos [National Human Rights Coordinator]. https://www.entrepueblos.org/publicaciones/mujeres-y-conflictos-ecosociales/

Sociedad Peruana de Derecho Ambiental (2024). *Opinión legal que analiza las iniciativas que buscan derogar la Ley 31973, Ley que modifica la Ley Forestal y de Fauna Silvestre* (Ley 29763) [Legal Opinion Analyzing Initiatives to Repeal Act 31973, the Act Amending the Forest and Wildlife Law (Act 29763)]. https://spda.org.pe/wp-content/uploads/2024/04/Opinion-Legal_Ley-que-modifica-Ley-Forestal.pdf

Sociedad Peruana de Derecho Ambiental (2022, 1 de febrero). Congreso rechaza nuevamente debatir y ratificar el Acuerdo de Escazú [Congress Again Refuses to Debate and Ratify the Escazú Agreement]. *Actualidad Ambiental* [Environmental News]. https://www.actualidadambiental.pe/congreso-rechaza-nuevamente-debatir-y-ratificar-el-acuerdo-de-escazu/

Stern, C. (2004). Vulnerabilidad social y embarazo adolescente en México [Social Vulnerability and Teenage Pregnancy in Mexico]. Papeles de población. 10 (39), 129–158.

SUNARP (2014). *Guía general para la inscripción de actos y derechos de las comunidades nativas* [General Guide for the Registration of Acts and Rights of Native Communities]. www.sunarp.gob.pe/PDFs/Castellano.pdf

Tosi, J. (2022). Los pueblos indígenas de la Amazonía en reemplazo del Estado: dos experiencias de autoprotección frente al avance de las economías ilegales en Ucayali [Indigenous Peoples of the Amazon in Place of the State: Two Self-Protection Experiences in the Face of the Advance of Illegal Economies in Ucayali]. March 1, 2022. IDL | Instituto de Defensa Legal [IDL | Legal Defense Institute]. www.idl.org.pe/los-pueblos-indigenas-de-la-amazonia-en-reemplazo-del-estado-dos-experiencias-de-autoproteccion-frente-al-avance-de-las-economias-ilegales-en-ucayali/

UNODC & USAID (2024). *Estudio analítico: delitos ambientales y actividad cocalera en Ucayali* [Analytical Study: Environmental Crimes and Coca-Growing Activity in Ucayali]. www.unodc.org/rocol/uploads/documents/2024/Descargas/junio/10/EstudioAnaliticoDelitosAmbientalesyActividad_CocaleraenUcayali-Informe_Completo.pdf

Urrutia, J., Remy, M. I., & Burneo, M. L. (2019). *Comunidades campesinas y nativas en el contexto neoliberal peruano* [Peasant and Native Communities in the Peruvian Neoliberal Context]. Instituto de Estudios Peruanos [Institute of Peruvian Studies].

Vallejo Real, I. (2012). Impunidad en el acceso de las Mujeres Indígenas a la Justicia. Estudios de caso sobre violencia de Género en Ecuador, Perú y Bolivia [Impunity in Indigenous Women's Access to Justice: Case Studies on Gender-Based Violence in Ecuador, Peru, and Bolivia]. ONU Mujeres, CAAAP, IEE, PROINEXA, ConVoMujer-GIZ [UN Women, CAAAP, IEE, PROINEXA, ConVoMujer-GIZ].

Villegas, H.B. (1994). *El Contenido de la Seguridad Jurídica* [The Content of Legal Certainty]. 26. https://ipdt.org/uploads/docs/02_Rev26_HBV.pdf

Walsh, C. (2007). *Interculturalidad, colonialidad y educación* [Interculturality, Coloniality, and Education]. Revista Educación y Pedagogía, 19(48), 25–35. Retrieved from https://www.flacsoandes.edu.ec/sites/default/files/agora/files/1265909654.interculturalidad__colonialidad_y_educacion_0.pdfflacsoandes.edu.ec+2

Wiesse, P. (2024). ¿Por qué se dice que la Ley 31973 promueve la deforestación? [Why Is It Said that Act 31973 Promotes Deforestation?] February 27, 2024. IDL | Instituto de Defensa Legal [IDL | Legal Defense Institute]. https://www.idl.org.pe/por-que-se-dice-que-la-ley-31973-promueve-la-deforestacion/

Zambrano, A. (2002). *Fundamentación teórica del eje educación en género* [Theoretical Foundations of the Gender-Education Axis].

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