

# Siekopai Human Ecology Achieves Land Rights Victory

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## ABSTRACT

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On November 24, 2023, the Siekopai indigenous population residing in the Ecuadorian Amazon won a claim for the titling of their lands to their Nation. Ecuador recognized indigenous land ownership within a protected area for the first time in history. This decision also acknowledges the value of land management by the indigenous population, who, through their profound knowledge of the place, environment, animals, and spirits that inhabit it, are the best stewards of this green space as a common heritage of humanity. This paper challenges the Western logic that typically drives conservation efforts and examines the role of Indigenous self-determination as a means of ecological advancement. It further outlines the complex role of International mechanisms like Free, Prior, and Informed Consent, ILO Convention 169, and the Rio Declaration as enforcers of sustainable resource management. The court's decision sets a valuable precedent for government collaboration with Indigenous peoples worldwide and the inclusion of Indigenous stewardship practices into environmental justice frameworks.

**Keywords:** Siekopai indigenous population, Ecuadorian Amazon, land titling, indigenous land ownership, protected area, indigenous stewardship, conservation efforts, indigenous self-determination, ecological advancement, international mechanisms, Free, Prior, and Informed Consent, ILO Convention 169, Rio Declaration, sustainable resource management, environmental justice, Ecuador, Amazon rainforest, indigenous rights, land rights, environmental protection

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On November 24, 2023, the Siekopai Nation<sup>1</sup> achieved a landmark victory in the Ecuadorian Amazon region known as Oriente. The Ecuadorian tribunal issued a final verdict mandating the return of their ancestral lands

and a public apology for the infringement of their territorial rights. This ruling signifies a pivotal recognition by the Ecuadorian national government of the significance of ancestral practices as a symbol of enduring and deliberate

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<sup>1</sup> Siekopai Nation: their name means “multicolored people,” a characteristic derived from their colorful attire. Their name can also appear as Secoya, referring to the same nation. The Secoya are an indigenous ethnic group residing in the Ecuadorian Amazon and Peru. The population of these people is estimated to be around 297 individuals in Ecuador and approximately 144 in Peru. They speak the Secoya language, which belongs to the Tucanoan linguistic group. They share a territory near the Shushufindi, Aguarico, and Cuyabeno rivers with the Siona, and are sometimes considered a single indigenous group.

**Figure 1**

*Cuyabeno Wildlife Production Reserve River*



Note. Photograph taken by the author, 2017.

environmental conservation and ecological sustainability. This decision sets a historic and exemplary legal and moral precedent for the nation and indigenous peoples globally, marking the first instance of an indigenous community obtaining title to territory within a protected area.

Contemporary discourse on environmental issues frequently addresses topics such as climate change, CO<sub>2</sub> emission reduction, deforestation, intensive cattle farming, oil extraction, and contamination. However, discussions on environmental conservation often neglect to consider the rapid changes occurring in the daily lives of indigenous populations as a result of these

phenomena. This oversight is remarkable, given the critical role that indigenous communities play in maintaining ecological balance and promoting sustainable practices.

In the Amazon, often referred to as the “lung of the world,” the current scenario, including oil extraction, new colonization, internal migration, tourism, and geopolitical division, poses a significant challenge to the world’s most biologically diverse area. Nevertheless, indigenous populations, who have coexisted with and relied upon the forest for generations, possess unparalleled knowledge of its needs and dynamics.

This article examines the victory of the Siekopai Indigenous Nation in the Ecuadorian Amazon region, reclaiming legitimacy over their ancestral lands within the Cuyabeno Wildlife Production Reserve. It is argued that indigenous practices represent the only ecologically sustainable means for the conservation of this area, given its vibrant biodiversity and its value as a common good for humanity. Through this analysis, the broader implications of recognizing and supporting indigenous stewardship in environmental conservation are highlighted, emphasizing the necessity of integrating traditional knowledge with contemporary conservation efforts.

### **Conservation of Protected Areas: Siekopai Human Ecology**

The Secoya, or Siekopai, are an indigenous Amazonian people who, between 1500 and 2000, inhabited the area between the Aguarico River and the upper courses of the Napo and Putumayo Rivers. Today, they are located in the Ecuadorian region of Sucumbíos and the Peruvian region of Loreto, belonging to the Western Tukano linguistic family. Their territorial dispersion involved high mobility and diverse exchanges among kinship groups, which underpin their social cohesion.

In the 17th century, the Secoya first encountered missionaries, officials, soldiers, and Spanish encomenderos, leading to the establishment of indigenous reductions by Jesuits. By the early 20th century, the Secoya

faced increased sedentarization due to the expansion of the extractive mercantile economy in the Amazon, most notably during the rubber boom, followed by forestry and oil activities. Some families responded by fleeing to new areas within their territory.

The Ecuador-Peru War in 1941 and subsequent peace agreements in 1998 significantly restricted Secoya mobility due to the suspension of free transit and the increase in military checkpoints along the border. The boundaries between the two countries were drawn, splitting a nation that had lived along the border into two. This Indigenous Nation then had two different names based on their new residences: Siekopai on the Ecuadorian side and Airo Pai on the Peruvian side, with no contact between them for decades (Rojas, 2007). The most pressing concern shared between these two groups was, and continues to be, the struggle to reclaim the right to ancestral land ownership.

From the mid-20th century to the present, the Secoya have experienced new religious influences from the Evangelical Church through the Summer Institute of Linguistics (SIL). In 1955, SIL missionaries settled by the Cuyabeno River to convert the Secoya and Siona but left after Ecuador expelled SIL in 1981. Furthermore, beginning in 1970, oil activities by Texaco, followed by Occidental Exploration and Production Company (OXY) from 1985, intensified pressure on Secoya territory and its resources, leading to deforestation, water and air pollution, and a reduction in the game population. (Rojas, 2007).

Due to the unique ecological characteristics of the territory, the Cuyabeno Wildlife Production Reserve was established in Ecuador in 1979. This area includes Lagartococha in the province of Sucumbíos, the ancestral land of the Siekopai Nation. At that time, the creation of protected areas followed a U.S. model that established parks devoid of human presence to preserve untouched flora and fauna. This approach prioritized nature, sidelining the human rights of the populations living in the area, who were forcibly displaced and dispossessed as a result.

**Figure 2**

*A hut in the Cuyabeno Wildlife Production Reserve*



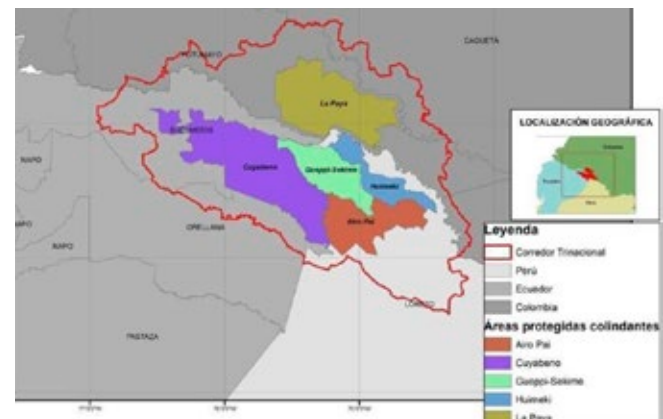
Note. Photograph taken by the author, 2017.

The history of the Siekopai Nation, divided by the border between Ecuador and Peru, is a prolonged narrative of land rights struggles aimed at legitimizing ownership of their ancestral territories with ongoing claims. The land known as *Pë'këya*<sup>2</sup>, or Lagartococha, holds particular significance as it constitutes the border between the two countries. Declared an intangible zone in 1999, it was deemed illegal to conduct any economic activity there.

In 1979, the Cuyabeno Wildlife Production Reserve was established in Ecuador. Similarly, in Peru, the Güeppí Reserved Zone was created in 1997, overlapping a large portion of the Airo Pai territory. Its creation, driven by geopolitical and ecological incentives, did not require the consent of the indigenous populations. Later, in 2003, these same populations proposed the establishment of the Airo Pai Communal Reserve and part of the National Park as ancestral territory (Rojas, 2007), as shown in the following map (Borbor, 2024).

**Figure 3**

*Map of Protected Areas*



Note. Map showing the division of protected areas across Ecuador, Peru, and Colombia (Panorama).

Initially, the concept of creating natural parks was rooted in the dichotomous division of nature and culture, as well as between biodiversity and cultural diversity—a typical notion of Western society (Descola & Palsson, 1996). Indeed, “nature” can be understood as the set of neutral

<sup>2</sup> Historically, the ancestral or traditional territory of the Siekopai is said to have extended between the Putumayo and Napo rivers (Vickers, 1989), which included Pëekë'ya, also known as Lagartococha, now a border area between Ecuador and Peru.



objects transformed into an environment through the cultural interpretation of individuals or social groups, asserting that the environment is a cultural construction of nature (Milton, 1997). Thus, the territory is seen as a “social construction” (Sack, 1986), defined by the actions of those living and moving within it.

According to the theory of “New Ecology” (Zimmerer, 2000), environmental management is related to conservation because nature tends towards a state of equilibrium, and any devastation resulting from human presence must be considered within the context of conservation. In this way, spaces acquire meaning when they have cultural significance and reflect the power relations of a specific group. In managing national parks, these power relations are closely tied to the political and economic goals of the state.

In the beginning, indigenous populations were not directly involved in managing protected areas; later, their true potential was recognized. Initially, a co-management agreement with Park Authorities was established, subject to what Agrawal (2005) describes as “disciplinary environmentalism” or “eco-governmentality”—the set of environmental practices and representations, whether local, national, or transnational, that interact with direct social actors to think and behave in specific ways concerning environmental goals such as sustainable development, environmental security, biodiversity conservation, and resource access (Ulloa, 2005).

Robbins (2004) emphasizes a basic premise underlying the creation of such protected spaces: that nature must be preserved free from any human interference, creating a “territorialization of conservation.” This implies the institutionalization of acts and knowledge through which state power establishes a relationship between the population and a geographic space, imposing permitted and prohibited identities as well as specific forms of action and inaction.

The strengthening of the indigenous self-determination movement worldwide, within the framework of multiculturalism, has played a central role in shaping the discourse of environmentalism. This portrayal has been strategically developed by indigenous organizations themselves as a means to negotiate agreements that improve their quality of life. Since identity is a relational and dynamic process, new ecological identities are emerging within the scope of eco-governmentality, distinguishing indigenous populations as ecological natives (Ulloa, 2004).

Ulloa (2005) and Castro (2008) argue that indigeneity is often depicted as both savage and ecological. Castro (2008) introduces the concept of a “new ecological identity” that portrays indigenous peoples as guardians of the environment and knowledgeable about how to protect the planet from global disasters. However, Castro notes that this categorization, while seemingly valuing them as holders of superior knowledge, perpetuates the image of the “noble savage” living in harmony with nature.

In the context of ecological advancement, the relationship between identity, culture, and territory has been a focal point for proponents of development studies, who view local knowledge as essential in offering an “alternative” to capitalist development and globalization (Molano, 2006). Miraglia (2007) emphasizes that sustainable development reveals the ongoing tension between economic growth and environmental preservation. This concept, as defined in the 1987 United Nations World Commission on Environment and Development report “Our Common Future,” is development that “meets the needs of the present without compromising the ability of future generations to meet their own needs.”

Considering the profound interrelationship between humans and nature, it is imperative to reference a contemporary conservation principle: *Kawsak Sacha* (Living Forest), advocated by indigenous groups like the Kichwa Sarayaku community. This principle promotes the protection of natural and cultural heritage, considering the forest a living being with rights: “the protection of the existing natural and cultural heritage in indigenous lands and territories through a new legal construction of conservation originating from the worldview of indigenous peoples. This construction implies that the Living Forest or *Kawsak Sacha* is considered a subject with rights, endowed with life” (Sarayaku, 2018).

This concept is closely linked to *buen vivir* (good living), which signifies a harmonious coexistence of all forms of life. However, the

spiritual connection between indigenous peoples and nature is often ignored by the state. Yet no one could better implement conservation policies and sustainably develop these areas than the Indigenous populations native to them, Victory: The Collective Identity Emerging from the Connection to the Land.

Since 1995, the Siekopai Nation has actively appealed to the Ecuadorian State for the official adjudication of this land, demanding not only the return of their territories but also a public apology for the violation of their collective territorial rights. For years, these rights have been contested, but all requests have been consistently blocked.

Moreover, it is essential to recognize that indigenous peoples are highly reliant on the natural resources within their environments. These groups have typically co-evolved in relative harmony with their natural surroundings, which are frequently remote areas abundant in biodiversity. Consequently, these regions are often designated as national parks and other protected areas (Nepal, 1999).

For the Siekopai, the relationship with the land is profoundly spiritual rather than merely a matter of geographic demarcation. There exists an intimate connection between humans and the natural environment. As Ingold (1986) articulates: “The land is a much more energetic configuration of earth and air, water and minerals, animals and plants, as well as people, in contrast to a surface contained by lines on a map.”

For indigenous populations, borders do not carry the same significance as they do for the state; instead, they are perceived as mechanisms of control or limitation that challenge their autonomy and usufruct of natural resources. It is, therefore, essential to recognize that the relationship between the various actors can be conflictual due to vastly different ontological perspectives. Moreover, it must be acknowledged that such processes are slow and delicate, given their economic, ecological, and sociocultural significance.

Living in this border area, which Kroijer (2024) describes as a “transition zone,” involves engaging with the transformability inherent in the indigenous conception of the land. This conception is constituted by a multiplicity of beings, practices, and objects that do not conform to Euro-American notions of individuality.

The Cuyabeno Wildlife Production Reserve is an example of an agreement for managing protected areas between the indigenous peoples who inhabit them and the state in which they are located. Many people, such as the Siona, Cofán, and Siekopai, find in this model a form of environmental sustainability that translates into benefits regarding the availability of natural resources. These agreements work when the people depend on the forest, and there is a low population density within the protected area, creating a small green paradise (FAO, 2007).

Looking ahead, ancestral land property rights are constitutionally protected in Ecuador, so if the ministry does not grant these rights, the

Siekopai can pursue legal action. This legal process is unprecedented in the country, leaving many aspects of land management uncertain. In Ecuador, the doctrine of prior and informed consent is not binding, meaning that even if a community opposes extractive projects, such projects may still proceed. This situation underscores the complexities surrounding the principle of Free, Prior, and Informed Consultation (FPIC).

FPIC is foundational to the participatory rights established in the 2008 Constitution of Ecuador, the International Labour Organization’s Convention 169, and the United Nations Declaration on the Rights of Indigenous Peoples. The Inter-American Court of Human Rights has elaborated on FPIC, emphasizing the need to respect indigenous worldviews and decisions when their fundamental rights are involved, as demonstrated in the landmark *Sarayaku vs. Ecuador* case (IHRC, 2009). While the Ecuadorian government holds the authority to develop public policy on mineral extraction, FPIC is often non-binding, especially with a prior declaration of national interest. This allows the state to proceed with extractive activities without necessarily obtaining community consent, undermining the principle’s intent (Condolo Acaro et al., 2022).

Beyond legal interpretations, FPIC challenges capitalist political models and various democratic forms by acting as a mechanism of direct democracy and societal sovereignty over the state. Consequently, it is perceived as a threat to state authority and is often evaded or manipulated

to reinforce state control, weakening its defenders (Simbaña, 2012). The non-binding nature of FPIC leads to severe consequences for the constitutional rights and well-being of affected communities. FPIC aims to ensure fair negotiations between extractive industries and indigenous nations, establishing political equality and providing a framework for sustainable resource management (Ryser, 2023).

### **Rebuilding a Nation: The Siekopai Nation's Path to Cultural Continuity**

Reoccupying these places is not about self-exoticization or reaffirming ancestry (Kroijer, 2024); rather, it carries the desire to return to origins, reviving past ways of life, family histories, and relationships with the spiritual beings of the forest, ultimately creating a harmonious space for future existence. Ulloa (2005) argues that in the processes of constructing “green identities,” indigenous people “use” their identity as a performative strategy to establish relationships with the state and as a strategy that allows them to “manipulate” their historical and cultural situation to fight for political interests at national and international levels.

Victory, therefore, encompasses not only the acquisition of property titles but also an identity-cultural redemption that acknowledges the intrinsic value of these people and the profound significance of their relationship with nature and ancestral land.

The war between Ecuador and Peru, which began in 1941 and ended definitively with the peace accords of 1998, divided a nation along two borders. This division led the populations to undertake an initiative to rebuild their nation and become one people again. The first meeting took place in 1999, followed by a second in 2001, with the aim of sharing collective experiences and laying the foundations for future projects for the entire group, with territorial claims as the cornerstone.

To ensure their cultural continuity, the Siekopai wrote a document titled “Reunification, Cultural Revaluation, and Continuity of the Siekopai People” to continue their cultural history, develop their self-determination capacities, and improve their living conditions. This project, presented to the European Commission under the “European Initiative for Democracy and Human Rights,” emphasized “Combating racism, xenophobia, and discrimination against ethnic minorities and indigenous peoples” and was approved in the first quarter of 2003 (Rojas, 2007).

### **Conclusion**

A “new” victory for the Siekopai was achieved on November 24, 2023. But why is it novel? The freshness of the Provincial Court of Sucumbios’ verdict lies in the fact that, for the first time, the Ecuadorian government granted a land title to an indigenous community within a protected area, setting a legal precedent for future struggles of indigenous peoples to reclaim land ownership in Latin America and worldwide.



The historical context leading to this victory is fundamental, but the current context is equally relevant. Indeed, during 2023, Ecuador faced challenges amidst the “Gran Padrino” scandal, leading to President Lasso’s impeachment and subsequent elections. Amidst political turmoil, Daniel Noboa won the October runoff with 51.83% of the vote. However, his ascension coincided with a state of emergency due to escalating violence and drug-related issues. As well as Daniel Noboa’s rise to power, the indigenous people’s victory was achieved just before the COP28 climate talks in Dubai, sending a strong message within the country about respecting human rights, land rights, and ownership as a key solution to climate issues.

Now that they have the official title to their lands, the Siekopai can exercise sustainable management over their natural resources. They now control their land, and the national government must respect the community’s

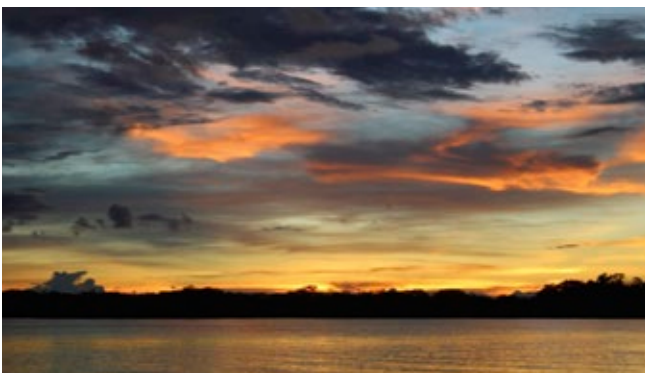
capacity to self-determine its management plans. Once their management plan is established, the Siekopai will consult with the Ministry of Environment and Water for any necessary technical advice.

The preservation of protected natural areas is crucial for environmental and human well-being, with indigenous communities playing a pivotal role due to their deep connection to the land and traditional ecological knowledge. International frameworks like ILO Convention 169 and the Rio Declaration emphasize government collaboration with indigenous peoples to protect and preserve their environments, recognizing the cultural and spiritual importance of their relationship with the land. These agreements mandate the participation of indigenous communities in the management and conservation of natural resources, affirming their role in sustainable land management and biodiversity preservation.

The Rio Declaration highlights the need to incorporate indigenous knowledge into national legislation, protect indigenous lands from harmful activities, and develop dispute-resolution procedures for land-use concerns. Similarly, the Convention on Biological Diversity (CBD) underscores the importance of protected areas in maintaining key habitats, supporting biodiversity, providing livelihoods, and contributing to global food security and climate change mitigation. The CBD recognizes that well-managed protected areas, governed

#### Figure 4

*Cuyabeno Wildlife Production Reserve River at the Sunset*



Note. Photograph taken by the author, 2017.

by equitable mechanisms, yield significant benefits to both biodiversity and human well-being. Thus, respecting the territorial rights of indigenous peoples is fundamental to effective natural land management, sustainable resource management, and conservation efforts.

Indigenous stewardship practices, honed over generations, offer valuable insights into biodiversity conservation. The inclusion of indigenous communities in environmental management is supported by international frameworks, which advocate for the recognition of their rights and knowledge. Their involvement is not only a matter of justice but also effective conservation, aligning with

global efforts to combat climate change and promote sustainable development. Recognizing indigenous communities as key stakeholders in environmental conservation is vital for preserving biodiversity and ensuring a healthy and productive future for all.

A significant question mark follows the inquiry about the next step in this land tenure reclamation journey. Reasonably, the aspiration is for the Siekopai people to be able to exercise their ownership free of interference, creating sources of benefits and visibility to regain their legitimacy after a past of dispossession and rights violations, despite current political tension.

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