

## Land recovery, territorial autonomy and care under pressure: Disputes in the indigenous territory of Paletara, Colombia

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### Abstract

In the headwaters of the River Cauca, in the Paletara reserve, inhabited by the Yanacona and Kokonuko people, as well as several peasant families, the community defends its proposals for territorial autonomy and care. Both are rooted in the process of recovering their communal lands amid territorial and relational disputes with Irish multinational Smurfit Westrock, which receives funding through a CO<sup>2</sup> offset program. In Paletara these carbon credit markets are presented as strategies that aim to mitigate the impacts of the climate crisis, but in practice are another form of extractivism that demands large quantities of water and land, pushing for the transformation of existing relationships in Paletara in the logic of market economics and the creation of dependency relationships that seek to undermine the territorial autonomy of the community. *Keywords:* Territorial autonomy, carbon offset, care, payment for environmental services, green colonialism, Colombia.

Resumen: Recuperación de tierras, autonomía territorial y cuidado bajo presión: Disputas y transformación en el territorio indígena de Cauca, Colombia

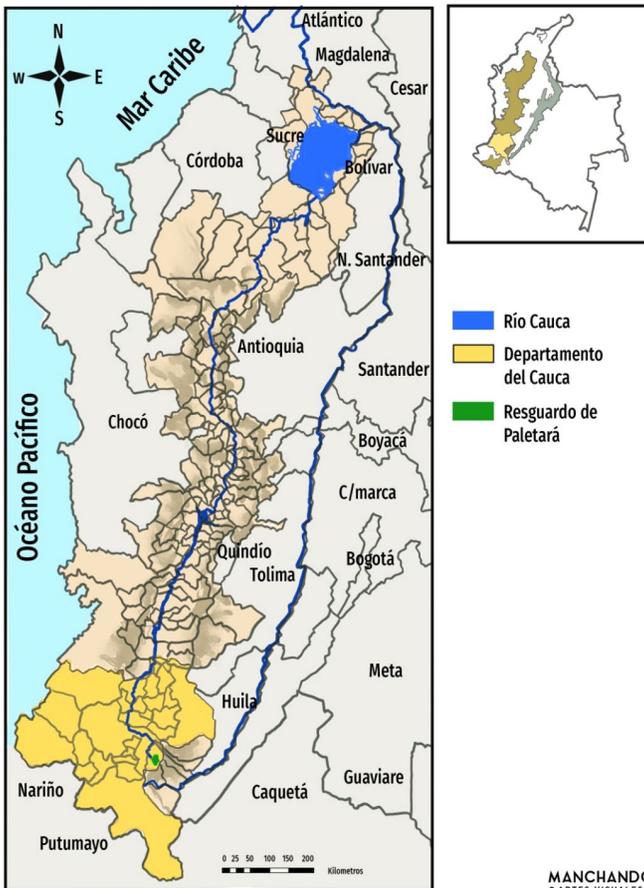
En el nacimiento del río Cauca, en el resguardo de Paletara, habitado por indígenas del pueblo Kokonuko y Yanacona como también por familias campesinas, la comunidad defiende sus propuestas de autonomía y de cuidado del territorio. Ambas están enraizadas en el proceso de recuperación de sus tierras comunales en medio de disputas territoriales y relacionales con la multinacional irlandesa Smurfit Westrock, que recibe financiamiento a través de un programa de compensación de CO<sup>2</sup>. En Paletara este mercado de captura de CO<sup>2</sup> se presenta como una estrategia que apunta a mitigar los impactos de la crisis climática, pero en la práctica es otra forma de extractivismo que demanda grandes cantidades de agua y tierra e impulsan la transformación de las relaciones existentes en Paletara en una lógica de economía de mercado, creando relaciones de dependencia que buscan socavar la autonomía territorial de la comunidad. *Palabras clave:* Autonomía territorial, cuidado, compensación por carbono; pago por servicios ambientales, colonialismo verde, Colombia.

### Introduction

Radio Kokonuko<sup>1</sup> sounds, according to the radio broadcaster, “as clear as the Cauca River” in these heights of southwestern Colombia. The road I travel by car to reach the territory of Paletara passes next to the Cauca River, which is still

a small stream here, between high mountains that do not allow telephone or radio signals to pass. The techno-cumbia that plays on Radio Kokonuko did not reach the capital city, Popayán, but is the only thing I have left after driving about 30 minutes into the mountains. The territory of the indigenous community of Paletara, home to members of the Kokonuko people, as well as several Yanacona and peasant families, is situated in the fragile páramo ecosystem<sup>2</sup>, between the slopes of the Puracé and Sotará volcanoes. There are several waterfalls to the right and left, as well as small trickles of water everywhere I look. When I walk through the páramo, surrounded by frailejones (*Espeletia grandiflora*), the floor is like a sponge that releases water with each step I take. I am in what some (delighted with modernity?) call a water factory. This is the source of the Cauca River.

Figure 1: Cauca River basin and Paletara. Elaborated by art collective Manchando



Paletara is located in the municipality of Puracé, in the department of Cauca, in the central Andes mountain range, where some of the country’s largest rivers

originate. These include the Magdalena, the Patía, the Caquetá, the Putumayo and the Cauca rivers, which together supply about 70 per cent of the fresh water in the country (Segura Ocampo, 2023). The Magdalena River and the Cauca River are like twin rivers; they are born a few kilometres from each other and meet again more than a thousand kilometres downstream, after having travelled half the country (Figure 1: Cauca River Basin).

In October 2022, a group of men and women from the community of Paletara, self-described as the Liberators of Mother Earth, occupied a neighbouring pine plantation owned by Irish multinational Smurfit Westrock, in an effort to enlarge the collective lands of the community. An illegal eviction by workers of that same company in November 2022 resulted in the killing of one of the community elders and traditional medical authorities, Juvencio Cerquera. In conversations with the people of the community and during the multiple visits to the territory of Paletara, the stories of land occupations, referred to by the community as land recovery processes<sup>3</sup> or the “liberation of Mother Earth”<sup>4</sup>, come up continuously. I ask myself how the dispossession and accumulation of water and land have occurred here and continue to take place. I wonder what strategies have been used and by whom. Moreover, in the context of the Cauca department, which is one of the historical epicentres of the internal armed conflict in Colombia, what role has violence played in transforming relations in Paletara? I want to know how the community of Paletara has defended its territory against these external threats and how its strategies of territorial autonomy and care, to which people constantly refer, have enabled it to maintain and recreate relationships within the community, as well as between the community and its territory.

Since 2013, I have lived in the Cauca department, where I work with indigenous, farmer and Afro-Colombian organisations that are defending their communities against extractive industries. Within this context, between October 2021 and April 2025, I visited the indigenous community of Paletara at least once every two months to meet and talk with women, men, the young, the elderly and the community council. We share breakfasts, lunches and dinners not only in Paletara, but also in Popayán, Bogotá, Medellín and the Lower Cauca region. Through my work, I support the process of strengthening unarmed community guards as a strategy of collective self-protection in the context of the internal armed conflict, as well as the community’s political and legal strategies for recognising the Cauca River as a political subject. This extensive ethnographic fieldwork is combined with interviews and archival research.

This article will present the struggle of the people of Paletara for the recovery of their lands and waters, against a multinational company that has historically encroached on their territory, through different strategies, including the recent payment of environmental services, through the commercialisation of carbon credits. The article will argue that this struggle is both territorial and relational, in which strategies to defend autonomy and care are intimately related to practices of (re)commoning commodified nature. I will expose the strategies used by Smurfit Westrock to transform existing relationships between people and people

with nature within the territory of Paletara. The purpose of this article is double. On the one hand, it aims to strengthen the legitimate struggle of the people of Paletara for land, water and autonomy. On the other hand, it is a contribution to the theoretical debate on relationality and care, in the context of hydrosocial territorial struggles.

This article will first explain how relationships are at the heart of territorial disputes and how the concepts of care and autonomy are closely interwoven with these relational disputes. Secondly, by examining the history of Paletara, I will dive into the strategies used to accumulate land and water through dispossession, with a clear continuum from the colony until our times. After understanding this geographic and historical context, the specific strategies and discourses used by Smurfit Westrock are amplified to better understand the imposition of relations that understand nature as disposable and a source of financial resources, with specific attention on the commodification of nature through the Payment for Environmental Services (PES). Finally, the proposals of care and autonomy, materialised through the land recovery processes by the community of Paletara, are presented as a strategy to defend and recover specific relationships as well as the commons.

### **Relationships at the heart of hydrosocial territorial disputes**

Being at the heart and origin of one of the most important rivers of Colombia, the Cauca river, and surrounded by water throughout its territory, it is difficult not to understand Paletara as a hydrosocial territory, that is a “contested imaginary and socio-environmental materialization of a spatially bound multi-scalar network in which humans, water flows, ecological relations, hydraulic infrastructure, financial means, legal-administrative arrangements and cultural institutions and practices are interactively defined, aligned and mobilized through epistemological belief systems, political hierarchies and naturalizing discourses” (Boelens et al., 2016, p. 2) Several political subjects within and outside the Paletara community have contested narratives on what is, was, and should be in this multi-scalar network. Hegemonic relationships built through and within coloniality, patriarchy, and capitalism have positioned the geographical expansion and spatial reorganisation inherent to the accumulation of capital (Harvey, 2003), as well as the accumulation, appropriation, and expropriation of land and water (Boelens et al., 2015), at the centre of hydrosocial territories.

The accumulation and dispossession within the hydrosocial territory of Paletara is a historical process that can directly be traced back to its colonial past. Colonialism and capital have a fundamental need to commodify nature and control subjectivities (Coronil, 2000), through strategies that aim to control, homogenize and mould existing relationships with nature (Grove, 1995) and at the same time exclude, make invisible and annihilate relationships that are not included within the social contract and are framed as not-normal or pathologies of society (Feierstein, 2007; Harvey, 2014; Mendieta, 2007).

Nature and people should be normalized and homogenized in the logic of modernist rationality (Kamete, 2018; Escobar et al, 2024), which “denied and often supplanted existing modes of vernacular governance [and] justified the colonization and domestication of rivers and commons as places of threats, emptiness, unruliness, and irrational values” (Boelens et al., 2022, p. 4). Throughout history discourses of untameable nature and rivers have been linked to that of untameable people, conceptualizing these as “geographies of insurgency and counterinsurgency operations” (Marijnen, 2021, p. 2) with the objective often to establish zones that can be sacrificed for economic benefits (Svampa, 2008). In the case of the Cauca River basin and the hydrosocial territory of Paletara, discourses that connect the control of water, with that of populations and territories are intertwined and mutual supportive and have been accompanied by military and paramilitary violence that has been functional and foundational to protect and expand economic interests (Fereira, 2009; Hristov, 2009; Eventon & Tenthoff, 2013; Soler & Roa Avendaño, 2015) through the annihilation and subjugation of people and nature and specifically the relations among and between them.

Transforming territorial disputes into disputes over relationships allows for a more profound understanding of strategies and objectives by different actors, incorporating relatedness and entanglement between subjects on a broader analysis (Haraway, 2008; Haraway, 2016; Escobar, 2015) that understand the material “less from the perspective of defined ‘objects’ and ‘subjects’ but as composed of knots of relations involving humans, non-humans and physical entanglements of matter and meaning” (Puig de la Bellacasa, 2017, p. 141). From the logic that nothing pre-exists the relations that constitute it (Escobar et al, 2024, p. 8), a hydrosocial territorial dispute, which includes but is not limited to a dispute over access to water, land and food should be first and foremost understood as a dispute over the knots of relations between human and humans and non-humans that are allowed or not allowed to exist.

The specific relations that have been imposed through violence and other disciplinary strategies that are part of colonialism, modernism, racism and capitalism are disputed by the community of Paletara, which has historically struggled for territorial autonomy, care for their territory and more recently the commoning of water. According to Ostrom (1990), the sustainability of the struggle of processes of commoning depends mainly on the capacity to build autonomy regarding external authorities. The commoning of water and land by the community of Paletara is within this line of thought directly connected to struggles for autonomy, understood in this article not from a separating modernist perspective, or “a watertight frontier against everything else” but as a mutually constitutive relationship between the individual and collective” (Sarbanes, 2022, p. 20). Autonomy in this mutually constitutive relationship allows for interdependence between different political subjects and invites us to rethink political relationships to the point that, inspired by Zapatist and Kurdish political struggles,

as well as radical activism in other parts of the world, it becomes a proposal to defend life with dignity and existence in itself. (Escobar et al., 2024).

Practices of care, care culture and/or care ethics are built on a relational ontology that understands our world as fundamentally interconnected (Lawson, 2007; Tronto, 1996; Tsing, 2015), in which relations are the cornerstone on which our world is built and in which care is a fundamental transformative practice (Martinez Rodriguez et al., 2020) that includes everything that we do to maintain, continue, and repair our world so that we can live in it as well as possible. That world includes our bodies, ourselves, and our environment, “all of which we seek to interweave in a complex, life-sustaining web” (Fisher & Tronto, 1990, p. 40). These relationships as well as practices of care are disputed by market mechanisms, which have incorporated over the last 30 years many of the communal practices of care into their logic of capital accumulation (Lawson, 2007), (re)creating dependency relations built on the idea that women and children, the elderly and the sick need care, “ignoring the fact that we, all of us, give and need care” (Lawson, 2007, p. 3).

Practices of collective and community care transform relationships within hydrosocial territories to defend and protect the reproduction of life, mutuality and well-being (Martinez Rodriguez et al., 2020; Lawson, 2007; Fisher & Tronto, 1990), understanding “all social relations as contextual, partial, attentive, responsive and responsible” (Lawson, 2007, p. 3). Practices of mutual care redefine the self as part of a collective rather than as an isolated individual, moving away from modernism and colonial extractive paradigms (Haraway, 2016), foregrounding “social relationships of mutuality and trust, rather than dependence” (Lawson, 2007, p. 3) and opening up paths towards historical justices since it questions structural and historical injustices and actively tries to change these. (Brown, 2003; Lawson, 2007; Martinez Rodriguez et al., 2020). Practices of care towards land, water and territory are part of a larger strategy attending these historical injustices and of (re)creating the commons and (re)establishing relationships between people and their territory, “in a daily and extraordinary way to guarantee the material and symbolic conditions of their own (re)production” (Roca-Servat, 2020, p. 33).

## **History of Paletara**

The Kokonuko people reside in nine indigenous communities spread across five municipalities (Popayán, El Tambo, Sotará, Totoró, and Puracé) in the department of Cauca, southwestern Colombia, with a population of 17,813 people, according to the official 2018 census by the DANE. The communal authorities of Paletara have conducted a census of the population in the community and, as of April 21, 2025, identified 3,675 members who belong to the indigenous community, with an additional 210 farmers associated with the Farmer Association of Paletara (ASCAMP) (Government of Paletara, 24 April 2025). The community of Paletara is part of the Kokonuko authorities' Association, known as the

Genaro Sánchez Association, which is one of 11 associations that make up the larger Regional Indigenous Council of the Cauca department (CRIC).

Large landowners, descendants of Spanish colonisers, had been the owners of the lands and inhabitants of Paletara under the colonial figure of the *encomienda* at the end of the sixteenth century (Llanos Vargas, 1978). The figure of the *encomienda* established that both the land and the people who lived on it were property of the *encomendero*, many of them colonisers or their descendants. During the process of independence at the start of the nineteenth century, the figure of the *encomienda* was transformed into the hacienda, in which the indigenous population was still being used as cheap labour in conditions of semi-slavery through figures such as the *terraje* by the same families that had been in charge of the *encomienda*. Struggles for territorial recognition by indigenous communities can be traced back to the colonial era, when Juan Tama, at the start of the eighteenth century, received titles to indigenous lands in the Cauca department from the Spanish crown. Most of these titles, however, were lost and forgotten in the context of the nineteenth-century independence struggles. At the start of the twentieth century, the indigenous leader Manuel Quintin Lame rediscovered some of these colonial titles and started the first legal cases to recover indigenous lands. In the face of few results through legal means, he initiated with others the first land occupations to recover territories to which the communities were legally entitled (Prieto Fontecha & Solano Salinas, 2021).

Between 1936 and 1961, inspired by agrarian revolutions in many other Latin American countries, including Bolivia, Cuba, and Mexico, several laws were introduced to address the growing demands for agrarian reform in the country (Everton & Tenthoff, 2013; Navarette Ruiz, 2017). The call for an agrarian reform in the Cauca department intensified during the 1960s, inspired by the struggles of Manuel Quintin Lame at the beginning of the twentieth century and supported by emerging social movements such as the National Association of Peasant Users (ANUC). On February 24, 1971, seven indigenous councils met in the municipality of Toribio (Cauca) to constitute the Regional Indigenous Council of Cauca (CRIC), establishing months later their ‘platform of struggle’, still in force today, where the first point is the recovery of the land (CRIC, 1990; Van de Sandt, 2007; Rappaport, 2008)

Indigenous communities in the Cauca department started to recover their lands through both legal actions and land occupations in the years following the constitution of the CRIC. In 1978, the community of Paletara initiated its first land recovery effort. Many community members worked at the time as *terrajeros*, peasant workers in semi-feudal conditions, on the hacienda. These first land recoveries focused on the land that the families had worked on under the motto “the land for those who work it.” The struggle for land recovery has been foundational to the struggle for the recovery of other rights, as reflected in the words of Hortensia, an elder from the Paletara community. “The defence and recovery of land and territory was to defend everything” (Hortensia, February 23 2023). In this line of thought, the recovery of land should be understood as

part of the struggles for the commons that aim to guarantee the reproduction of collective life, which is under threat of dispossession. Struggles, which are cultivated in daily times and generate with their practices the political capacities that are manifested in extraordinary situations. (Gutiérrez Aguilar, 2018). Some families in the community of Paletara, as well as in other indigenous communities in the Cauca department, opposed the recovery of land, arguing that there could be reprisals from the landowners. “[I]n the time the CRIC was formed, few community councils accompanied the struggle of the *terrajeros* and indigenous community members for the recovery of their lands. Most of the community councils were at the service of the church, politicians or landowners, and many even opposed the land occupations, branding those who participated in these as ‘land thieves’” (Tattay, 2016, p. 53).

In the midst of legal actions and protests in the first half of the 1980s that sought to defend the territorial rights and recover the land of the Kokonuko people, different armed insurgent organizations began to appear in Cauca and the municipality of Puracé, including M-19 and the FARC-EP, which, inspired by the Cuban revolution, had among their political objectives agrarian reform, the redistribution of land and “land for those who work it”. In the 1980s, human rights violations in the municipality of Puracé increased, not only by the FARC-EP, but also by large landowners and state security forces. In response to this increased violence, the CRIC embarked on a collaborative relationship with the Quintín Lame Armed Movement (MAQL), a largely indigenous guerrilla organisation dedicated to the defence of native communities, with CRIC providing political training for fighters (Rappaport, 2008). There was a general sense among the majority of the CRIC that it was necessary to defend its communities through an armed expression. “How long are we going to let ourselves be killed? The people, tired of the government continuing to kill us sought to protect themselves and in 1984 the Quintín Lame Armed Movement was created” (Comisión de la Verdad, 2022, p. 65). In Paletara the Quintín Lame Armed Movement motivated the communities in the processes to recover their land and at times stood guard when the communities entered the farms. In 1991, the Quintín Lame Armed Movement demobilised in the framework of the 1990 peace process, along with other insurgent organisations, and participated in the Constituent Assembly process that led to a new constitution in 1991, recognising the rights to territory, identity and autonomy for indigenous communities (Benavides Vanegas, 2009; Rappaport, 2008).

In 1996, 26 properties that had been recovered since 1978 were recognised by the National Institute for Agrarian Reform (INCORA) as part of the collective territory of Paletara, with a total area of 4,609 hectares. In 2002, seven additional plots of land, previously acquired by the community through purchase and occupation, were incorporated into their collective territory, thereby expanding the reserve to its current size of 5,476 hectares (INCORA Resolution 005, 2002). The different lakes, which have been declared sacred spaces by the community, as well as the water springs and other protected areas that are part of the

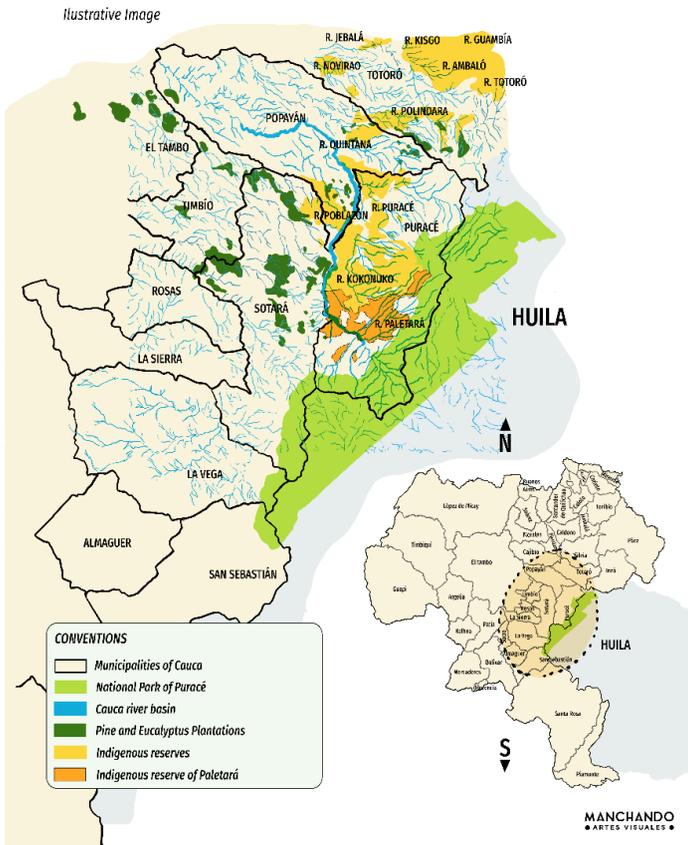
indigenous reserve, are not designated as individual property, but are part of a collective commitment of care.

Although the redistribution of property through the land recovery process changed social relationships within the Cauca department as well as in Paletara in the second half of the twentieth century, new strategies to maintain economic dependency relationships were swiftly introduced. The Green Revolution promoted an increased use of pesticides and chemical fertilisers in rural Colombia, changing, in the words of community elder Laurentino, the relationship between members of the community with their land in a radical way. “My parents grew potatoes, beans, cabbage, peas, onions and cauliflower without agrochemicals. People from outside brought us other visions, and those visions contradicted our own thoughts. That vision changed our thinking, and then it changed us” (Laurentino, February 23 2023). The Green Revolution was a direct bridge between colonialism and capitalism, serving as a clear response by economic powers to sustain their economic and political power. According to Josélito, governor in Paletara in 2025, the Green Revolution created dependency through the loss of native seeds and the introduction of pesticides “How did they put us in the technological package? We had native seeds, but they introduced capitalism into us. We made the mistake of playing along. That is where land and water contamination originates. With agro-toxics that kill the micro-organisms.” (Josélito, February 23 2023) Most of the families today in Paletara produce strawberries and potatoes with a strong dependency on pesticides. In contrast, other families have a few cows for the production of milk and its transformation into cheese and yoghurt.

Whereas Paletara has a collective land title, the internal distribution of plots among families depends on their historical participation in or exclusion from land recovery processes. This has resulted in an uneven land distribution, with some families that do not own any plots within the community lands and others which may have up to 30 hectares of land, creating internal tensions and material inequality, and at the same time, a ceaseless demand by those who do not own land to continue the land recovery process. The historic success of land recovery and the struggle for autonomy have changed the perspective on land recovery processes within the community and balanced it in favour of its support. In contrast, in the 70s and 80s, many community members feared reprisals. In practice, this means that even the initiative of a relatively small group of people, such as the self-dominating group Liberators of Mother Earth, that are in the recovery process of land in the plantations of Smurfit Westrock, relies on the support of the community’s political authorities and the community assembly. These have both underlined the need to continue with the process to recover territory as well as to change economic dependency with external actors, for example, through the community mandate that was established in November 2022, which states that several of the farms owned by Smurfit Westrock in the municipality of Sotará should be recovered.

The Cauca department is one of the regions with the highest concentration of land, with a Gini<sup>5</sup> of 0.90 in 2020 (Duarte, 2022), and several properties occupied by the Paletara community have not yet been legally recognised as part of their territory. Elder Eider of the Paletara community sums it up this way: “The population grows, but the land does not stretch. In 1970, we were only about 30 families; today we are 1408 families” (Eider, October 24 2023). Not only is there a lack of land for the growing population, but the territory is also fragmented and disconnected. Paletara is bordered on one side by the indigenous territory of Coconuco and on the other side by the Puracé National Natural Park. One of the few places where it could expand is the municipality of Sotar, where the Irish company Smurfit Westrock has approximately 5,000 hectares of pine and eucalyptus plantations.

Figure 2. Encirclement of the territory of Paletar by other indigenous communities, the national park of Purac, and Smurfit Westrock, by art collective Manchando



### The cardboard giant Smurfit Westrock

Smurfit Westrock, formerly known as Smurfit Kappa and operating in Colombia as Cartn de Colombia, began operations in Colombia in 1944, deforesting large

swaths of tropical and Andean dry forests in the departments of Cauca and Valle del Cauca for paper production. In 1969, the company began purchasing lands that had been part of historical haciendas in Cauca, including Calibío, AntoMoreno, Paispamba, Coconuco, PISOJÉ, and Yambitara. Pine and eucalyptus plantations, strategically referred to as forest plantations by the company, appeared in the 1970s, in the same period that the land recovery processes by the ANUC and the CRIC were at their peak. Large landowners deliberately planted pine and eucalyptus in fertile lands to directly oppose any intentions of agrarian reform, as well as the existence of a small peasantry in general, and its autonomy (GRAIN et al., 2012).

Smurfit Westrock had revenues of €12.8 billion in 2022 and operated in 36 countries (Smurfit Kappa, 2023), fusing with US paper company WestRock in 2024, making it “the largest containerboard and boxmaking company in the world” (Fastmarkets, 2023). Colombia is its most important producer of pine and eucalyptus fibre, where the company owns 67 thousand hectares, mainly in the Cauca river basin (Smurfit Kappa, 2023). The Cauca department and specifically the municipalities of Cajibío and Sotará, the latter bordering Paletara, are where most plantations are concentrated. The company employs a discourse that combines references to economic and sustainable development with direct investments in schools and roads within the municipalities where its plantations are located. Despite the initial deforestation of Andean dry tropical forests by the company in the 60s and 70s to have access to cheap raw materials, as well as the enormous impact on water, biodiversity and food production through its pine and eucalyptus plantations, Smurfit Westrock entered the market of carbon credits in 2018, receiving approximately 2.5 million dollars in 2022 (Smurfit Kappa, 2023a). The plantations that border the Paletara indigenous reserve in Sotará are part of this carbon credit mechanism. There is a clear colonial continuum in the pine and eucalyptus plantations of Smurfit Westrock, which were planted in old haciendas and incorporated into carbon credit market schemes that have been criticised as green colonialism due to their reinforcement of historical economic and political relationships (Lang et al., 2024). A colonial continuum in which an Irish multinational imposes its economic interests on local communities, converting nature into a form of capital and claiming access to land and water under the guise of climate change mitigation, “establishing the supremacy of the logic of capital accumulation over society’s relationship with nature” (Arsel & Büscher, 2020, p. 58).

Since 1987, the Food and Agriculture Organisation (FAO) has warned about the negative impacts of eucalyptus plantations on soil and water quality, including increased erosion, the reduction in the number and diversity of animals (evidenced by mammals, birds and insects) and the displacement of ecosystems that previously existed (FAO, 1987). Recent studies on the impact of eucalyptus plantations also identified that these have a negative environmental impact on soil micro-organisms, alterations in the hydrology of watersheds, increased hydrophobia of soils due to leaf litter and increased risk of forest fires (Elosegi et

al., 2020) as well as high values of evapotranspiration that increase with the growth of trees and can reduce soil moisture by up to almost 60 per cent with its subsequent impact on watersheds (Oyarzun & Huber, 1999). Different social organizations in Cauca also identified the social impact, such as the loss of food sovereignty for peasant and indigenous communities, an increase in robberies and sexual violence around plantations, the lack of labour guarantees for workers and the lack of respect for the protection of buffer zones around water springs, which has led to their disappearance and is associated with erosion phenomena and the reduction of water availability in municipalities such as Cajibío, Sotará and Timbio (Comité Ambiental por la Defensa de la Vida, el Agua y el Territorio, 2022).

Smurfit Westrock has presented its pine and eucalyptus plantations as “forest plantations”, and as such, as a strategy of carbon storage and protection of nature through carbon credit markets. At the same time, land recovery processes are portrayed as illegal invasions by violent indigenous communities, which destroy flora and fauna and threaten “the continuity of the social and economic investment with which [Smurfit Kappa] has contributed for more than 52 years to the development of the region.” (El Nuevo Siglo, 2021, p. 1). The narratives used by Smurfit Westrock have been accompanied by the adjustment of legal frameworks to legitimise the imposition of pine and eucalyptus plantations. Smurfit Westrock has had a long history of influencing the construction of favorable legal frameworks for its economic activity (Broderick, 1998), allowing the company easy access to public funds such as the Forest Incentive Certificate (CIF in Spanish), tax exemptions (Gómez, 2015), and the reduction of protected areas, to allow for the expansion of pine and eucalyptus plantations in fragile ecosystems such as the páramos and Andean dry forests.

During the last decade, different actors, including the Ministry of Environment in Colombia, the Environmental Authority of the Cauca department and different universities, have pushed for carbon credit mechanisms as well as other Payment for Environmental Services in Paletara and around the Cauca river. One of the primary policy documents on the Cauca River is its Management Plan (POMCA), which, since 2009, has identified Payment for Environmental Services as one of the main strategies to advance in the “conservation” of the Cauca River (Ministerio de Ambiente, 2014). According to the Regional Association of the Kokonuko People, the POMCA “characterises our living spaces as ‘green markets’ without a historical past, omitting that we have been resisting for 48 years, fighting to recover the land that has characterised us as a people” (Association of Cabildos, Genaro Sánchez, 2020, p. 11). The Ministry of Environment presented in 2016 its proposal for the Cauca department to adapt to climate change, called Cauca 2040, collaboratively written with the participation of local political representatives, Smurfit Westrock and other economic actors, but without any representatives of social and/or indigenous organisations. Among its main proposals to mitigate and adapt to climate change is the expansion of

“forest” plantations, participating in CO<sup>2</sup> market mechanisms through these plantations and incorporating Payment for Environmental Services.

Narratives and legal frameworks that have been used to impose and legitimise Smurfit Westrock’s presence have been accompanied by systematic human rights violations to break the social fabric, generate ruptures within and between families and to transform relationships in the territory of Paletara. The single registry of victims recorded 3,163 human rights violations in the municipality of Puracé between 1985 and 2023 (Single Registry of Victims, accessed October 28, 2023). Some recurring human rights violations in the case of Paletara and the Kokonuko people of the last two decades are; targeted killings by paramilitaries and security forces of members of the community; individual and massive displacement of community members from the Paletara territory; individual and collective threats by paramilitary structures; violence by the security forces against community members in land recovery processes; targeting indigenous communities, accusing them of being part of an armed insurgency; an apparent collusion between the army and paramilitaries; and physical and sexual violence against women, which in a counter-insurgent logic can be understood as what Segato (2019) has called the ‘pedagogy of cruelty’, exemplary or collective punishments of people not involved in the conflict, specifically children and women.

In this context of systematic human rights violations, one of the most effective strategies by the CRIC, the Kokonuko people and the community of Paletara has been their indigenous guard. The indigenous guard is a community protection network made up of women, men, boys and girls who defend their territories peacefully [...] and one of their main objectives is to protect their autonomy and ancestral lands from those who seek territorial control (Frontline Defenders, 2022). The indigenous guard is an unarmed community protection strategy that has legal recognition since the Constitution of 1991 as part of the indigenous justice system, recognised by their baton or stick of authority (*bastón de mando*). According to the vice-governor of Paletara, Andrea: “This symbol reflects our thoughts and actions of being caretakers of the territory” (Andrea, March 8, 2025). “The indigenous guard is a collective and voluntary exercise that has among its principal objectives the defence of life through the exercise of one’s rights, peaceful resistance, the use of indigenous legislation, the defence of human rights, and the promotion of peace in territories marked by violence” (Mora Grisales, 2020, p. 29, my translation).

Although a small group of people is on duty as a guard on a voluntary and daily basis, during emergencies, everybody within the community becomes a guard. The indigenous guard of the CRIC and Paletara has been internationally acclaimed as a unique strategy to implement peace amidst internal armed conflict, as well as to protect both nature and people. In Paletara, according to a young man who participates in the process of land recovery in the pine and eucalyptus plantations of Smurfit Westrock, the existence of the indigenous guards should be understood as a community exercise that takes care of those places that allow for the reproduction of life, in the case of the community of Paletara,

the Cauca River. “The indigenous guards were born in an exercise of protection and self-protection of life, territory and community. In this exercise of self-protection, we talk about taking care of places where life is reproduced, for example, the Cauca River” (Community member of Paletara, March 14 2023).

### **Autonomy, care and the recovery of land in Paletara**

Although the idea of political autonomy has its roots in liberal philosophical thought, where it is understood as the individual autonomy to think, act and decide freely and independently as individual subjects (Schneewind, 2009), the liberation struggles from colonial oppression extended the use of the concept to political self-determination (Svampa, 2016). Since the resurgence of indigenous organisations in the 1970s, not only in Colombia but also throughout Latin America, autonomy and access to land have been among the primary demands of these organisations, as part of a broader call for historical justice (Van de Sandt, 2007; Svampa, 2016; Rappaport, 2008). The four banners of struggle of the CRIC since 1971 have been Unity, Land, Culture and Autonomy. Autonomy from the CRIC’s perspective is built on territorial control, which allows, among others, for food sovereignty, and has been extended to other elements such as taking back control over the economy, strengthening the indigenous justice system and implementing policies on education and health through community-owned infrastructure (CRIC, 2023).

The recovery of land is identified as the first step toward strengthening territorial autonomy. It is positioned as the foundation on which the other proposals for autonomy of the CRIC and the Kokonuko people are built. Recovery is a term used by indigenous communities in Cauca to refer to memory, land, and territory, to the point that, according to the communities in the process of reclaiming land from Smurfit Westrock, “to recover the land is to recover memory” (Cuestión Pública, 2022, p. 1). The community of Paletara seeks to recover land and memory, while protecting their waters and the source of the Cauca River, disputing narratives and practices with Smurfit Westrock, which seeks to impose its discourse of modernity and development and maintain the existing concentration of land and water. The work of reconstructing memory becomes an active exercise of resistance that seeks to break imposed silences and recover erased histories, language and relations with the territory. According to one of the elders of Paletara, “To recover memory is also to recover language that is no longer used. Nature speaks to us, the lagoons roar, the birds sing to us and tell us what is going to happen” (March 14 2023).

In 2024, the national government recognised the CRIC and the community of Paletara as environmental authorities, through the recognition of the ATEA decree, another step in the process to expand community control and autonomy over territory and the commons. The recognition of the ATEA decree has been a lengthy process, spanning several decades, during which, in the absence of a legal framework for environmental control, the CRIC, Kokonuko people, and

the Paletara community have employed community legislative exercises to protect communal land and water from extractive industries. The CRIC established a mandate on the protection of water in 2017, during their XV Congress in the municipality of Sotar, in which water was “declared to be a living and spiritual being, subject of collective rights of the original peoples, from the right of pre-existence and not subject to commercialization and any use other than community use” (Declaration of the XV Congress of the CRIC, 2017). The Association of Cabildos of the Kokonuko people has elaborated several mandates during their 22 years of existence, including on the protection of water, the recovery of land and the importance of agroecology, through the protection and rotation of native seeds, among others (Authority of the Association of Cabildos Genaro Sanchez, March 14 2025)

In Paletara, one of the community mandates has declared that every family needs to maintain its own food production through agroecological practices to secure food sovereignty, which, according to members of the indigenous guard, is fundamental for any territorial autonomy (Rene, February 25 2025). In the context of the land recovery process in Paletara, in November 2022, the Community Assembly of Paletara established a community mandate to recover land in the plantations of Smurfit Westrock in Sotar. Through the peaceful land recovery process by an estimated forty community members, organized in the self-proclaimed Liberators of Mother Earth group, the company responded with two violent eviction attempts that ended in November 2022 in the murder of elder Juvencio Cerquera, who although not a member of the group, was in the plantations as part of a collective response by the community during the attempted eviction. Although the Liberators of Mother Earth group has withdrawn from the Smurfit Westrock plantations, this does not mean that the land recovery process is over.

Practices of care are at the centre of resisting the narratives of the company, as well as the legal frameworks and violence that have been used to impose and strengthen land and water accumulation and concentration. These communal practices of care include, in the context of Paletara, the recovery of collective memory through intergenerational dialogues between elders and children; the rotation and distribution of political power, allowing men and women to be actively involved in the political decisions that affect their territory; being a member of the indigenous guard through which men and women exercise direct control over their territory; as well as agricultural practices and community mandates, referred to as practices of care by community members. These agricultural practices and community mandates comprise, among others, the prohibition of open fires, the prohibition of deforestation and or the clearing of vegetation around springs and creeks, collective work to clean up the paramo and maintain the roads, spiritual ceremonies to strengthen the indigenous guard and the community process, regulations around areas where cattle are allowed to graze or not, agroecological production and the protection of the habitat of the tapir and the spectacled bear, considered both spiritual guards of the paramo. These daily

practices of community members around the protection, defence and care of their territory, land and water, aim to defend the commons of Paletara, recognising the interrelatedness between all forms of life (Puig de la Bellacasa, 2017) and defending and transforming relationships of dependence into relationships that enforce the political, cultural and economic autonomy of the community.

This radically changes the concept of care from taking care of the weak, elderly or needy, to which care has been reduced by neoliberal thought (Lawson, 2007) to practices of care that aim to reproduce life and (re)establish relations of both autonomy and interdependence. Practices of care by the community members of Paletara resemble those of peasant families from the Páramo of Guerrero in central Colombia. “The peasants from the *páramo* who provide care do not conceive of the páramo as a dying patient, because it is not cared for because it is running out; they take care to re-create it and re-create themselves constantly. A logic totally different to that of conservation, which seeks to protect a *páramo* in crisis. In this way, while conservation is inactivity, care is movement, a cyclical movement of constant return” (Pachón Castellanos, 2018, p. 69). These words resonate strongly with those of Hilda Maria (March 23, 2023), one of the elders of Paletara:

I am afraid to speak, as sometimes my words go the other way, but I have been thinking about the word ‘conservation’. Mummies are conserved. When we talk about the river, I like to think of our practices as practices of care and not of conservation. There are fish in the river, and we use the water of the river to irrigate the plants and feed our livestock. We talk about life that should be taken care of, not the dead that should be conserved.

## Conclusions

At the heart of the territorial dispute in Paletara is not only a struggle for access to land and water, but also a dispute over the kind of relationships that may or may not exist. The narratives, legal frameworks and violence that were imposed by external actors in Paletara have had among their primary objective the transformation of relations, reconfiguring social relations, with a special focus on the destruction of relations of equality, autonomy and reciprocity between human beings that allow for the reproduction of life (Feierstein, 2009; Gutiérrez Aguilar & Rátiva Gaona, 2020; Roca-Servat, 2020). Since colonial times and until today, discourses, legal frameworks and violence have transformed relationships between the community and their lands through the *encomienda*, the hacienda, the Green Revolution, the presence of Smurfit Westrock and the payment for Environmental Services, among others, turning their lands and waters into a source of money and a territory to be sacrificed.

The proposals for autonomy of the Paletara community, in the context of territorial and relational disputes with Smurfit Westrock, are built on the recovery of their land as a strategy to recover and defend other rights, such as access to

education, health, and political and juridical autonomy. In the face of legal frameworks of dispossession, the community exercises its political autonomy through community mandates. To confront and mitigate the violence of social relations in their territory, the community has established an unarmed indigenous guard and practices of community care, as well as the recovery of their lands to be able to grow food and guarantee an income so that they can assure the reproduction of life for this and future generations. Relationships between humans and between humans and more than humans, as well as between these and land and water, are at the centre of these disputes.

In the context of a new era of green colonialism with a strong role for both international capital and the Colombian State through strategies of nature conservation, the community of Paletara has elaborated an alternative narrative and practice around the concept of collective care to make sure that not only nature, but humans and other living beings in their relationship with their environment can sustain themselves over generations. The means to reproduce life are fundamental for the community of Paletara. Liberating their territory, as several of the members of Paletara have done in the pine and eucalyptus plantations of Smurfit Westrock in Sotar a is in this context an obvious strategy to dispute the narrative of nature conservation through carbon credit mechanisms, by proposing community care of water and land as a way to take care of ourselves and nature at the same time.

The proposals for autonomy of the Paletara community address a specific need for access to land to support a growing population. However, they also question the historical relations of economic and political power in Cauca, advocating for a comprehensive agrarian reform and a different relationship with water, land and nature, creating other hydrosocial relations, as part of a broader agenda of (hydrosocial) justice. This historical justice is part of broader processes around the Cauca River, Colombia and the continent, which seek to break with the hegemonic and homogenizing power of capitalism, modernism, patriarchy and colonialism, through other narratives that create cracks in existing power structures and allow the emergence of the pluriverse, a world in which many worlds fit (Roca-Servat & Palacio Ocando, 2019; Escobar et al., 2024).

\* \* \*

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## Notes

- 1 I use Kokonuko in this article when referring to the Kokonuko people understood as an ethnic group. For the *encomienda*, the *hacienda*, the indigenous reserve Coconuco and the town center, located in the municipality of Puracé, I always use Coconuco.
- 2 The páramo ecosystem is a fragile ecosystem common to the Andean mountain range that lies within the tree line and the snow line, to be found above 3000 meters. The páramo ecosystem is fundamental in the cycle of water, since it allows for the condensation of floating rivers that arrive from the Amazon to the Andean mountain range.
- 3 I have chosen to use the concept of land recovery in this article, since this is the term used by community members of Paletara in contrast to land occupations, which is a term used by the company Smurfit Westrock. In quotes or where the occupation of land as such as was the specific activity, I continue to use the concept of land occupations.
- 4 Liberation of Mother Earth is a concept used by indigenous communities in the Cauca department, referring to the processes of land recovery on land that has been the victim by companies that extract, exploit and enslave earth for the benefit of economic interests. (Fajardo Camacho et al., 2022).
- 5 The Gini coefficient is a measure that allows to demonstrate wealth and/or land inequality. The Gini coefficient measures inequality on a 0 to 1 scale, with 1 being all wealth being concentrated by one person and 0 being all wealth being distributed equally. Colombia has a Gini for land distribution of 0.89, which is slight below the Gini for the Cauca department. There are however departments in Colombia with an even higher land concentration, such as Chocó (0,97) and Valle del Cauca (0,90), both part of the Pacific Coast, just like the Cauca department. (Matiz Sánchez, 2024).

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