

Rural territorial conflicts in the interethnic and intercultural borders of three border departments of Colombia

Conflictos territoriales rurales en las fronteras interétnicas e interculturales de tres departamentos fronterizos de Colombia

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Abstract

The article analyzes rural territorial conflicts on interethnic and intercultural borderlands in La Guajira, Vichada, and Putumayo in Colombia, focusing on developments from the past two decades. The objectives are to review and adopt concepts of borders linked to identities, territorial planning and governance; to classify, weight and geolocate conflicts using the National Land Agency (ANT, Spanish acronym of Agencia Nacional de Tierras) database; and to conduct a comparative analysis to identify similarities, differences and common causalities. Methodologically, the study unfolds in two stages: first, articulating the conceptual framework with the ANT database updated to August 2024; second, a comparative analysis based on typological classifications, georeferencing and weighting. Results show that conflicts concentrate in community-private and intercultural disputes, associated with overlapping territorialities, extractivism, the presence of armed actors and institutional shortcomings. It is concluded that transforming these conflicts requires strengthening intercultural governance and institutional coordination to ensure more equitable and sustainable territorial arrangements.

Keywords: territorial borders, intercultural governance, territorial conflicts, ethnic communities.

Resumen

El artículo analiza los conflictos territoriales rurales en fronteras interétnicas e interculturales de La Guajira, Vichada y Putumayo en Colombia, de las dos últimas décadas. Los objetivos son revisar y adoptar conceptos sobre fronteras

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vinculadas a identidades, ordenamientos territoriales y gobernanza; tipificar, ponderar y geolocalizar conflictos a partir de la base de datos de la Agencia Nacional de Tierras (ANT); y realizar un análisis comparado para identificar similitudes, disimilitudes y causalidades comunes. Metodológicamente, el estudio avanza en dos momentos: primero, la articulación del marco conceptual con la base de datos de la ANT actualizada a agosto de 2024; segundo, un análisis comparativo sustentado en clasificaciones tipológicas, georreferenciaciones y ponderaciones. Los resultados indican que la conflictividad se concentra en disputas comunidad-particular e interculturales, asociadas con superposición de territorialidades, extractivismo, presencia de actores armados y fallas institucionales. Se concluye que transformar estos conflictos exige fortalecer la gobernanza intercultural y la coordinación institucional.

Palabras clave: fronteras territoriales, gobernanza intercultural, conflictos territoriales, comunidades étnicas.

Introduction

This paper aims to contribute to the understanding of internal (interethnic and intercultural) borders that emerge within a country, that is, those configured among different ways of inhabiting the territory by ethnically and culturally diverse communities. The links, differences and relationships these communities establish with external actors give rise to various conflicts. The first section explores the theoretical understanding of borders and their various types, as well as the territorial determinants that shape the formation of identities, systems and forms of intercultural or interethnic governance.

In the second part, these concepts are analytically formulated using data from the Territorial Conflicts Matrix of the National Land Agency (ANT, Spanish acronym for Agencia Nacional de Tierras), updated as of August 2024. Based on reference categories and those specific to the matrix, a typological classification is proposed, utilizing specific criteria that enable the classification, weighing and geolocalization of territorial conflicts in order to reveal their causes, motivations, actors involved, intensity, mechanisms for dialogue and legal procedures. This classification applies to conflicts in the Colombian border departments of Vichada, La Guajira and Putumayo—the first two bordering Venezuela and the last bordering Ecuador and Peru—. Finally, a comparative analysis of the cases recorded in these three departments is developed to identify similarities, differences, regularities and common determinants among territorial conflicts.

This study has the following general aim: “to analyze the dynamics of territorial conflict in the interethnic and intercultural borders of the departments of La Guajira, Vichada and Putumayo in Colombia, based on concepts for approaching the records systematized by the ANT to identify similarities, differences, determinants, factors or common causes of conflict”.

To achieve this, the following specific objectives have been developed: *i.* Review and adopt concepts of interethnic and intercultural borders, as well as their relationship with identities (ethnic units), territorial arrangements and governance practices; *ii.* Classify, weigh and geolocate the conflicts in the National Land Agency’s database according to typologies that enable the identification of the ethnic and cultural actors involved in them; *iii.* Develop a comparative analysis of the three departments based

on the geospatialization of conflicts, identifying similarities, dissimilarities, determinants, factors and common causes of territorial conflict.

Theoretical foundations

What is a border? Territorial determinants and types of borders

It is necessary to begin the discussion on interethnic and intercultural boundaries in the Colombian territorial context with a brief description of what the specialized literature understands by the term 'boundary' from a conceptual perspective. It should be clarified that the interethnic and intercultural definition adopted in this article is based on an agrarian foundation, which conceives it as "a continuous and dynamic process of transition between different forms of territorial settlement and productive organization for agricultural purposes" (Salizzi, 2020, p. 1).

Therefore, the concept of boundary makes it possible to analyze the various ways in which territories are historically and spatially configured and reconfigured through relationships involving separation, interaction, encounter or conflict (Blom, 1976; Fajardo Montaña, 1996; Londoño Mota, 2003; Grimson, 2000; Martín, 2001; Spíndola Zago, 2016). It is, in this regard, a continuous process of constructing differentiations in space, systematically addressed by geography to understand how these differences are produced and how space itself is transformed. Nevertheless, this perspective has also been adopted by disciplines such as anthropology, history, sociology, political science and urban planning, underscoring the approach's interdisciplinary nature (Porcaro & Silva Sandes, 2021).

The differentiation that the authors refer to—which extends beyond the spatial—always implies a complex interplay of political, social and cultural relationships. Thus, borders are relational phenomena, mechanisms that make opposition visible, foster otherness and place some people in opposition to others, differentiating them. Nonetheless, they also state that:

[...] all differentiation is associated with a regime, a system of control, a form of power that organizes, guarantees, manages, controls, reproduces and sustains that difference. These multiple forms of differentiation—or borderization—create a tension between closeness and separation, encounter and distance, which generates problems common to this field of study. (Porcaro & Silva Sandes, 2021, p. 12)

Thus, the individual's relationship with their space and the control system that operates in their sociocultural processes are the fundamental elements that shape borders. According to Londoño Mota (2003), the contemporary debate on the definition of borders can be summarized in two concepts: one that prioritizes the spatial and geographical approach, emphasizing economic aspects, and another that, conversely, considers both spatial and sociocultural aspects.

Likewise, new types of frontiers have been proposed, defined by: *a)* the social relations prevailing within them; *b)* the amount of land available for colonization; *c)* the types of settlement; *d)* the internal dynamics of colonization; and, *e)* the forces or factors driving the colonizers' mobility toward the frontier zone. Thus:

[...] there are boundaries of inclusion and exclusion, open and closed boundaries, dynamic and static boundaries, mobile, slow and stagnant boundaries, fluid boundaries, spiritual boundaries and solid, empty and hollow boundaries, among many others. (Londoño Mota, 2003, p. 81)

If one speaks of spatial distinctions and points out the characteristics that are specific to them through the community practices they embody, then it must be said that some borders carry with them, in their very existence, a social particularity linked to ethnicity or culture that allows them to distinguish one tradition from another, one identity from another, thus structuring the logic of each territory through the identity-based or ontological differentiation of rural entities.

Therefore, borders acquire an ethnic or cultural dimension depending on the particularities of those who inhabit and structure these territories (Eidheim, 1976; Giménez, 2006; Goffman, 1963/2006). In this context, the notion of ethnic border is useful in distancing itself from essentialist approaches to identity and ethnicity and focusing on how organizational forms regulate social interaction through constantly negotiated norms and agreements. This perspective allows for the analysis of the complex ethnic and cultural scenarios generated by multicultural policies in rural areas of Colombia, where interethnic relations, conflicts and the dynamics of coexistence have been the subject of study, given the diversity of indigenous and Afro-descendant community forms (Duarte, 2015, p. 46).

The concept of boundary is still under construction and will always depend on the territorial approach or typology used to redefine the categories associated with this spatial and social notion. Now, how do borders—these continuous and dynamic spaces or processes of territorial transition, where the distribution of productive, legal and political spaces of rural actors is configured—become the manifestation of a community's ethnic or cultural identity?

Ethnic and cultural groups

In *Ethnic Groups and Boundaries*, Norwegian anthropologist Fredrik Barth (1976) asserts that it is necessary to move beyond the traditional definition of ethnic group, that is, one that simplifies their nature through typical-ideal models that presuppose “the significant factors in the genesis, structure and function of these groups” (Barth, 1976, p. 12). Hence, distinctions based on *racial or cultural differences, social separatism, language barriers* or *organized or spontaneous enmity* are inadequate to explain the diversity of these groups, because, according to Barth (1976), they reduce the number of factors taken into account in understanding their relationships.

In other words, traditional definitions focus more on dividing, limiting, separating and distinguishing each group in isolation, rather than conceiving of their *interrelationships*: “[...] we are led to imagine each group developing its social and cultural form in relative isolation and responding primarily to local ecological factors” (Barth, 1976, p. 12).

Barth further states that distinguishing an ethnic group by the morphological characteristics of its own cultures implies prejudging and anticipating the nature of the *continuity* of these units over time. For this reason, it must be understood that carrying a culture is a feature resulting from the organization of the ethnic group rather than an essential, primary and definitive attribute of it. In other words:

[...] the classification of individuals and local groups as members of an ethnic group will depend on the degree to which they display particular traits of that culture (...) Since the origins of each set of cultural traits differ, this perspective gives rise to an “ethnohistory” that chronicles cultural growth and change and seeks to explain the adoption of certain aspects. (Barth, 1976, p. 13)

In summary, to understand the different relationships between ethnic groups and cultures, or, as Barth calls them, *ethnic units*, it is necessary to consider the movement and continuity that these communities produce in their types of organization, their boundaries, identities, value norms, interdependence and cultural changes, among other factors specific to the development of their boundaries (interethnic and intercultural). Consequently, it can be said that these borders are preserved over time and space by a set of specific cultural traits; that is, ethnic unity endures due to the persistence of cultural differences and their transformations (acculturation processes). In addition to the above, this study must acknowledge that these interethnic or intercultural boundaries—also referred to as “internal” or “emerging”—do not always align with the territorial boundaries of the countries in which they occur. This is despite the focus of this analysis being precisely on three border departments, deliberately chosen to explore the similarities, differences and patterns that may exist among them regarding territorial conflicts.

Conflicts and their typologies: characteristics and causes

In the Colombian context, at least three rural collective subjects can be highlighted: two ethnic (Afro-descendant and indigenous) and one cultural (peasant). Nonetheless, each of these groups has distinct practices related to the governance of the territory, rooted in their own worldviews, authorities, production mechanisms and other ethnic-cultural values. Consequently, there are various forms of land use planning, including indigenous reserves, collective titles for Black communities and peasant reserve areas. Nevertheless, these institutional achievements have also exacerbated interethnic conflict and generated disputes among different development models and varying approaches to understanding relations with the territory.

Duarte (2017) notes that territorial conflicts in Colombia stem from clashes between actors with conflicting interests over strategic spaces, which are valued differently across their symbolic, economic, social and political dimensions.¹ These disputes are

¹ Duarte Torres and Montenegro Lancheros (2020) point out that:

(...) The 1991 Constitution—a roadmap for the political sphere—despite recognizing the multiethnic and multicultural nature of the country, differentiated rural communities into two categories: ethnic subjects (Afro-Colombian and indigenous communities) and cultural subjects (peasant communities), privileging ethnicity over cultural diversity, the latter being closer to the peasant issue. This determination became the spearhead for the recognition of differential rights and the formulation of public policies for indigenous and Afro-Colombian communities and, at the same time, an obstacle for peasant communities, as they were relegated from such recognition (pp. 120-121).

deeply related to land concentration, particularly in the hands of large cattle ranchers and agribusinesses, to the detriment of small farmers. Furthermore, institutional responses to these conflicts have tended to favor the sectors with greater economic power, systematically excluding actors such as peasant communities, Afro-descendants and indigenous peoples.

On the other hand, after the 1991 Constitution, the country's rural areas implemented the multicultural state model, which encountered certain difficulties. Although it encouraged ethnic, Afro-descendant and indigenous subjectivities and a differential system of rights, it also faced conflict and violence due to the diversity of conceptions, trajectories, principles of territorial organization and perceptions of the public sphere (Duarte, 2017). This was particularly true in territories historically shared by different rural populations, that is, in the interethnic and intercultural borders disputed by communities in the countryside. Furthermore, it is essential to recognize that the root cause of interethnic conflict does not lie in territorial autonomy or differential rights, but primarily in the traditionally entrenched structure of property concentration in rural areas and the violent implications that armed actors have brought to bear on intercultural dynamics at the boundaries.

There are two types of territorial conflicts worth reviewing before closing this section: those identified by the Agrarian, Peasant, Ethnic and Popular Summit (CACEP, Spanish acronym for *Cumbre agraria, campesina, étnica y popular*) in 2016, and one proposed by Carlos Duarte as a result of this national exercise. Both are consistent with the specific characteristics of territorial conflicts in Colombia that involve ethnic and cultural aspects. Furthermore, they are related to the “[...]” interpretations that value the territory-identity relationship insofar as the territory is a source of identification and a condition of existence for individuals in the nation” (Duarte, 2017).

The first of these typologies emerged as a result of the roundtable discussion on territorial conflicts between the Agrarian Summit and the National Land Agency held in 2016, which summarized the main causes of interethnic and intercultural conflict:

A) Territorial conflicts that, due to their structural nature, are related to the development model: monoculture farming, mining, infrastructure projects and armed actors. B) Territorial conflicts of a technical nature due to omissions or failures on the part of state entities: failure to register properties acquired by the state with the registry office; defective demarcation of ethnic territorial government entities; invisibility of ethnic communities in prior consultation processes; purchase of land for one community in the areas of influence of another community. C) Internal territorial conflicts that communities can resolve without government involvement, supported by their own regional or national organizational processes. D) Territorial conflicts arising from a lack of intercultural dialogue and unilateral fulfillment of government commitments. These types of conflicts arise from conflicting territorial priorities or aspirations among different communities. (Duarte, 2017)

In considering the above, Carlos Duarte (2017) offers a second typology of interethnic and intercultural tensions in rural Colombia, attributing the cause of conflicts to the following factors:

i) overlapping territorial claims and expectations; ii) the absence of a state protocol to systematically comply with intercultural jurisprudence and measure its impact on the territories of intervention; iii) the state's failure to comply with agreements signed with rural communities as a result of social mobilization; and iv) community and organizational disputes over territorial governance at the local level. (Duarte, 2017)

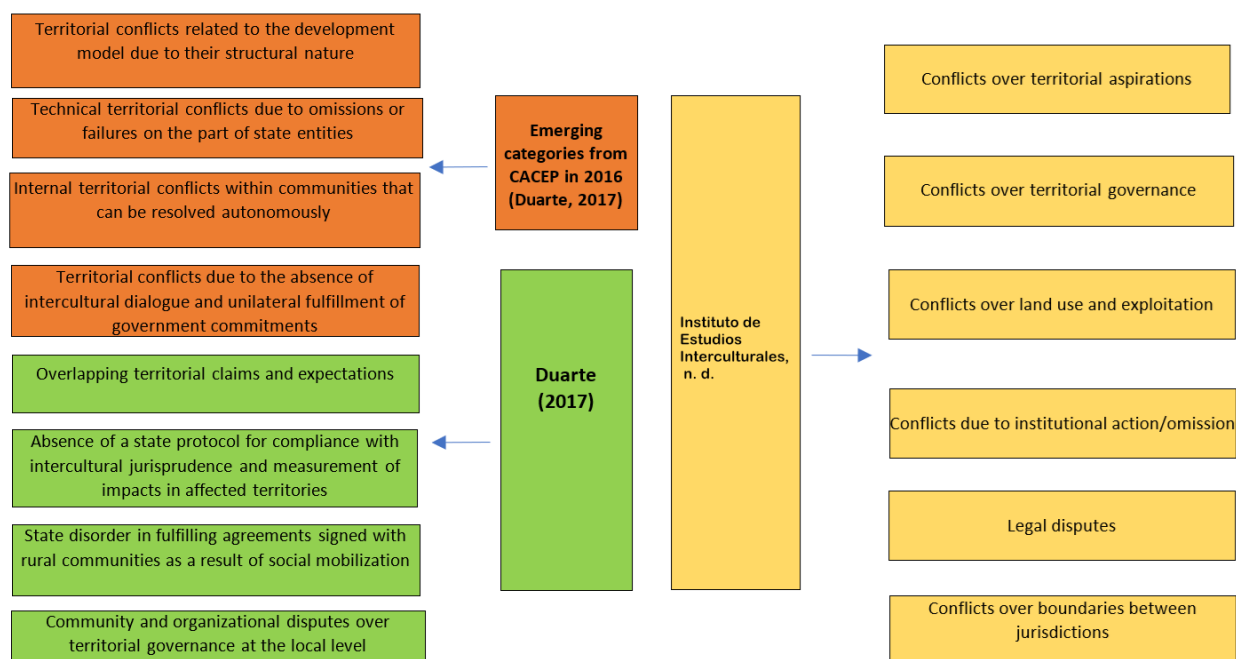
In summary, this perspective is useful because it helps explain how boundaries and interethnic and intercultural conflicts are shaped by land-use planning, access to land, and the governance models characteristic of rural population groups and their territorial aspirations. Furthermore, it enables the development of a theoretical and methodological characterization of the Colombian rural conflict by specifying the institutional achievements obtained at the dialogue tables and the ways of resolving conflicts through ethnic-cultural practices and logics specific to the territorial encounters and disagreements of these communities. Now, considering the aforementioned causes, according to the Institute of Intercultural Studies (Instituto de Estudios Interculturales [IEI], n. d.), it is possible to describe the different types of territorial conflicts in Colombia briefly:

- Conflicts over *territorial aspirations*: establishment of reserves, expansion of reserves, allocation to community councils, establishment of peasant reserve areas, declarations of peasant agri-food territories, individual titling and state extension; that is, when there are overlapping territorial claims by communities seeking to consolidate their hold on the same territory.
- Conflicts over *land governance*: these are conflicts in which indigenous peoples, Black communities, and peasant communities dispute forms of organization, authority and land use in areas where they coexist (such as reserves, community councils, community action boards, or peasant government boards).
- Conflicts over *land use and exploitation*: these are conflicts where different modes of production come into dispute, such as illicit crops (marijuana, coca, poppies); mining (artisanal or large-scale); livestock farming, monoculture and timber exploitation. Additionally, when the State seeks to safeguard specific areas of the territory, such as protected areas (national natural parks), this often affects or excludes communities, including peasant farmers.
- Conflicts due to *institutional action/omission*: this refers to situations arising from administrative or judicial action by a state entity that ultimately generate a territorial conflict due to its presence and actions. Nevertheless, there are also conflicts due to institutional omission, which is a result of a context of State absence. The most common cases are claims for prior consultation, ethnic recognition, environmental licensing, population relocation or territorial overlaps.

- *Legal conflicts*: these are conflicts in which the cause of the dispute stems from a legal situation where there is a lack of clarity regarding the process and which, therefore, creates uncertainty for rural stakeholders; examples include those involving titles of colonial and republican origin, agricultural administrative processes, or when there is a lack of definition regarding the topographical boundaries between ethnic and peasant territories.
- *Conflicts over jurisdictional boundaries*: these situations arise when state entities fail to recognize or respect the special norms and jurisdictions of ethnic or cultural communities, including agreements reached among the three rural actors (peasants, indigenous peoples and Afro-descendants) to resolve intra-ethnic and intra-cultural conflicts without government involvement.

These typologies, found in the reference literature, help define a panorama of characteristics and causes common to conflicts between ethnic and cultural groups in rural Colombia (see Figure 1). Finally, as a summary, Figure 1 presents a synoptic table that condenses the analytical proposal in theoretical terms:

Figure 1. Reference typologies for the recording, classification, and monitoring of territorial conflicts in Colombia



Source: created by the authors, 2025

Classification of territorial conflicts based on classification categories

In this second stage, the concepts of the conceptual framework will be formulated in conjunction with the descriptions in the National Land Agency's database of *territorial conflicts*, as of August 2024 (Equipo de Diálogo Social, 2024). This will be used to address the correlations between variables and boundary types, followed by a description of the types of territorial conflicts in each department included in the comparative analysis.

Analysis of the registration and classification of conflicts in the database of the National Land Agency (ANT) in the Colombian rural context

For the analytical development of territorial conflicts at the national level, each variable that comprises the ANT database on territorial conflicts, identified through social dialogue between 2018 and 2024, was considered.² This database was compiled from various data sources, including information provided by state entities such as the Ethnic Affairs Directorate of the National Land Agency, the Office of the United Nations High Commissioner in Colombia, ANT social dialogue roundtables and forums, as well as court orders and petitions from the Ombudsman's Office.

The territorial conflicts characterized by the ANT in this database reflect a range of dynamics, from sociocultural disagreements to legal confrontations and even situations marked by violence. In many cases, these disputes are related to overlapping territories, claims for access to and control over land, and tensions arising from the establishment of fences or boundaries imposed without consultation, among other issues. It also includes conflicts between ethnic and cultural communities that share territories but have different views on their use, and in certain contexts, the conflict is exacerbated by the presence of armed groups that aggravate the situation.³ These disputes are expressed in administrative and judicial settings as well as at the political and social levels, especially when they involve indigenous, Afro-descendant or peasant communities in relation to private actors or the State.

The variables included by the databases as a whole are: case name, case type, source of referral of the conflict, intensity of the conflict (current), departments and municipalities affected, type of conflict, actors involved, state entities involved (with jurisdiction in the case), mission procedure for conflict management, legal action (yes/no), description of the conflict, prioritization in the action plan of the mission associated with addressing the conflict (with year), agencies or entities responsible for management, route of action to comply with the mission procedure, traceability of actions in compliance with the route of action established for the conflict, last traceability record, commitments on the route pending compliance. Nonetheless, the explanation

² This database has not remained static over the years, on the contrary, it has evolved as conflicts have been resolved and others have gradually emerged in the territories. The version used to develop this report has a cut-off date of August 22, 2024.

³ This article does not seek to explore, analyze or discuss the impact of armed groups' actions on territorial conflicts. This is because the complexity, extreme dynamism and reconfigurations of these groups' actions within the national territory render the information contained in the reference database insufficient, as its records were not designed or constructed for that purpose.

focuses especially on those that are linked to the concepts addressed in the definition of the analytical and theoretical framework.

In this regard, the variable of interest is the *type of conflict*, which is determined by various combinations of the categories Afro-descendant, peasant, indigenous, private and peasant, which make up the analytical categories of: 1) community-private; 2) intercultural; 3) interethnic; 4) intraethnic; and, 5) intracultural. These categories have been selected from the database as references for classifying and analyzing the cases discussed here, provided they meet three specific criteria consistent with the methodological approach of this article: *i.* They facilitate the quick and unambiguous identification of the actor or actors involved in the conflict; *ii.* Similarly, they enable the identification of relationships between the actors in dispute; *iii.* They allow for the analytical use of several of the characteristics and causes that structure the classification typologies present in the reference literature, as these were in turn constructed considering the hostile interactions of the same actors in the country's rural areas (Black, indigenous and peasant communities). Therefore, each of these categories needs to be defined in detail.

The first category, *community-private*, is linked to conflicts arising (mainly) between peasant, indigenous, Afro-descendant or squatter communities and companies, private actors or armed groups. The most common situation of this conflict arises when there is a territorial overlap between the aspirations of rural communities and those of private actors. Notwithstanding, it also occurs when illegal armed groups such as paramilitaries, guerrillas and criminal gangs clash, leading to population displacement (from the frontier).

The second category, *intercultural*, concerns conflicts that may arise between different cultures, such as between communities from different *veredas* (rural districts) and between peasant associations with overlapping territorial interests and an ethnic community. Whereas the former seek to establish or expand peasant reserve areas, the latter attempt to establish or expand indigenous reserves or collective titles; hence, these territorial aspirations and claims for local organization and authority (governance) lead to confrontations (IEI, n. d.).

The third category, *interethnic*, concerns conflicts between different ethnic communities, such as those between Afro-descendants and indigenous peoples when some of them aspire to establish, clarify or expand their territories, and these territories overlap. Nonetheless, these types of conflicts can also arise when there is no legal clarity regarding the topographical boundaries between ethnic territories (IEI, n. d.).

Concerning intercultural, interethnic and specific conflicts, it can be stated that they also tend to occur in situations where there is a concentration of property, or when different modes of production confront the use and exploitation of territories; as is the case in Colombian agriculture, where illicit crops, mining, livestock farming, monoculture and timber exploitation, among others, bring together various cultural, ethnic, state, private and armed actors in the struggle for control of these frontiers (IEI, n. d.).

The fourth category, *intraethnic*, refers to conflicts within the same ethnic communities (indigenous or Afro-descendant), while the fifth, *intracultural*, relates to disputes within the same cultures (peasant-peasant).

Once these typologies have been understood, and considering the analytical variables of the databases, it is possible to provide a brief general description of this information at the national level. The ANT database includes 158 records of conflicts within

the Colombian national territory between 2018 and 2024. Analysis of this database reveals that the main types of conflict prevailing in Colombia are: community (ethnic and cultural actors)-private (58 cases),⁴ intercultural (48 cases), interethnic (24 cases), intraethnic (15 cases) and intracultural (11 cases).

It was also identified that the greatest number of territorial conflicts occurred between indigenous peoples and peasants (35); between indigenous peoples and private individuals (29); and between indigenous peoples alone (22). Next, conflicts between indigenous peoples and Afro-descendants (19) stood out, as well as those between peasants and private individuals (15). To a lesser extent, there were conflicts between peasants alone (12); between Afro-descendants and private individuals (6); between Afro-descendants and peasants (5); between indigenous people, Afro-descendants and peasants (4); between Afro-descendants alone (3); and between private individuals, peasants and Afro-descendants (2).

On the other hand, it was evident that, in department terms, the departments most affected by territorial conflicts are Cauca with 31 reported cases, followed by Meta (14), Chocó (13), Valle del Cauca (12), La Guajira (12), Vichada (9), Antioquia (6), Putumayo (7), Guaviare (5), Nariño (4), Bolívar (4), Cesar (4), Cundinamarca (4), Sucre (4), Santander (3), Magdalena (3), Córdoba (2), Huila (2), Norte de Santander (2), Caldas (2), Casanare (2), Arauca (2), Quindío (2), Guainía (1), Risaralda (1), Atlántico (1), Amazonas (1), Caquetá (1) and Tolima (1).

When cross-referencing the variables of department and type of conflict, it can be stated that the most recurrent type of conflict was between *communities* and *individuals*, with the highest incidence in the departments of Meta (12), La Guajira (7), Antioquia (5), Vichada (5), Chocó (5), and Valle del Cauca (3). *Intercultural* conflicts were most prevalent in Cauca (18), Vichada (4), La Guajira (4) and Antioquia (4).

The third type, *interethnic territorial* conflict, was identified in cases mainly in Cauca (8), Chocó (5), Valle del Cauca (3) and Nariño (3). The fourth type, *intraethnic territorial* conflict, was evident in the departments of Cauca (3), Valle del Cauca (2), La Guajira (2) and Putumayo (1). Finally, the fifth type of conflict, *intracultural territorial* conflict, was observed mainly in Cundinamarca (4 cases) and Valle del Cauca (2 cases).

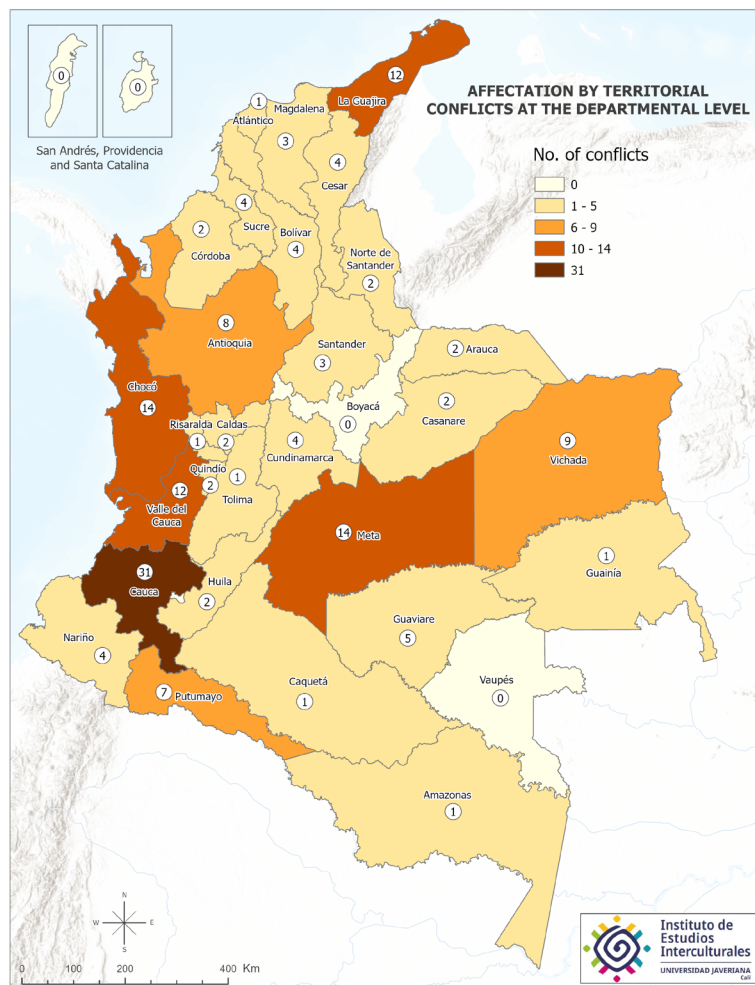
The procedures that predominated in addressing these conflicts were: expansion of indigenous reserves (36 cases), establishment of indigenous reserves (20 cases), demarcation and clarification of ethnic lands (20 cases), reorganization of indigenous reserves (12 cases), collective titling to Black communities (10 cases), direct purchase of land (7 cases), protection of ancestral territories of indigenous communities (5 cases) and revocation of the act of adjudication (5 cases).

Consequently, rural communities (ethnic and cultural) generally dispute the expansion, establishment, restitution, clarification, protection, reorganization and titling of territories historically linked to armed dispossession and agrarian processes of concentration in large cattle ranches or agro-industrial estates. To this end, they advocate for autonomous governance, enabling them to access the territory through their community-based logic, encompassing areas such as the economy, agricultural production and conflict resolution. Considering the above information, Figure 2 and

⁴ The category *community-particular* is proposed to record all conflicts involving one or more ethnic and cultural communities with other actors. This category is used to avoid duplication in the recording of conflicts, since in the ANT database some of them are classified as conflicts between other actors and communities (*particular/other*), also categorized as interethnic and intercultural.

Figure 3 illustrate the geographical distribution of the five types of conflicts identified in the National Land Agency's national-level database of territorial conflicts.

Figure 2. Territorial conflicts at the departmental level in Colombia



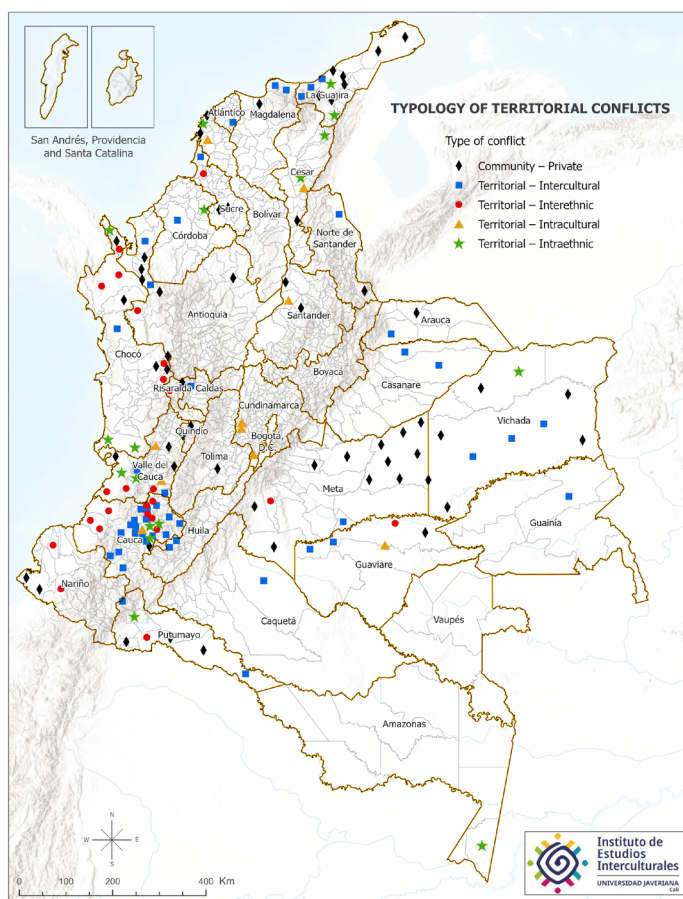
Source: IEI Geographic, Statistical and Population Information System (2024)

Analysis of conflicts at interethnic and intercultural borders in three departments

Thirdly, this section develops a comparative analysis of the territorial conflicts recorded in the departments of La Guajira, Vichada and Putumayo, based on their typological classifications, georeferencing, and weightings presented in the previous section.

The purpose is to identify common patterns, significant differences, structural determinants, recurring factors and shared causalities that provide insight into the configuration of interethnic and intercultural boundaries, as well as the dynamics of conflict that manifest themselves within them.

Figure 3. Distribution of types of territorial conflicts at the departmental level



Source: IEI Geographic, Statistical and Population Information System (2024)

Comparative case studies: La Guajira, Vichada and Putumayo

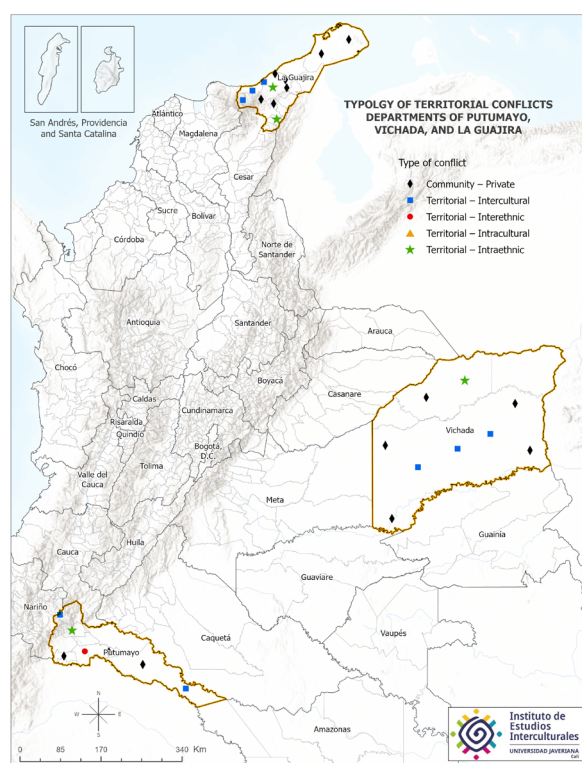
Based on geospatial information on the various territorial conflicts identified by the National Land Agency across Colombia, this section selects three departments that exhibit a series of specific characteristics that, from a conceptual and analytical perspective, are perceived as border areas. These characteristics are: *a)* regions with low population density or small urban centers; *b)* territories with a high degree of cultural

and ethnic rurality; *c*) business or empty borders.⁵ In addition, they present *d*) border movements; *e*) territorial conflicts; *f*) rural organizational processes; *g*) spaces for interaction and negotiation between actors; and, *h*) the implementation of a marked development model.

As can be seen, each of these distant areas within the national geography is home to a series of territorial conflicts that, despite their physical distance, share many attributes. These conflicts largely correspond to the following types: *a*) community-private and *b*) territorial-intercultural, and to a lesser extent *c*) territorial-interethnic, which in the three departments in question are also consistent with the distribution of magnitudes across the national territory, meaning that the departmental areas are considered normal for the country.

That said, it is necessary to provide an analytical description for each department, showing the correlations between the type of conflict, the main actors, the state entities involved, and the procedures applied to handle the dispute scenarios. Above all, the conflicts that occur in these departments will be presented to identify correlations and similar trends in the border areas where they occur. The three cases of territorial analysis (by region) selected are La Guajira, Vichada and Putumayo. Each of them is shown in Figure 4.

Figure 4. ANT territorial conflicts in La Guajira, Vichada and Putumayo



Source: IEI Geographic, Statistical and Population Information System (2024)

⁵ It should be remembered that, according to Reboratti (1990), since the 1950s, these types of *borders* have become an internal problem for each state in Latin America. At the same time, they were conceived as spaces for land revaluation, migration and constant conflicts within societies over control of land and resources.

It should be noted that the following description will focus mainly on representative cases from these territories, rather than on all the conflicts that have arisen within their internal boundaries, as the aim is to highlight trends in the types of conflict and the types of boundaries that these territories produce.

Case 1: La Guajira

The first department is La Guajira, where the problem is characterized by conflicts between indigenous peoples and individuals (7 cases, community-private) and by intercultural conflicts between indigenous peoples and peasants (3 cases). The least frequent are interethnic conflicts (1 case), which are unique in that they pit different indigenous clans against each other in territorial disputes. Below is a detailed review of these conflicts.

Regarding the type of *community-private* conflict, a case was identified in Riohacha where members of the Epinayú clan and Agromar S.A.S. clashed over a territorial dispute, prompting intervention from the Constitutional Court and the now-defunct Colombian Institute for Rural Development (Incoder, Spanish acronym for Instituto Colombiano de Desarrollo Rural). It all started when some members of the clan allowed their relatives (from the Epieyú and Pūshaina clans) to settle on the ancestral territory, prompting them to apply to Incoder for the allocation of the territory. This process was approved by granting them the land individually; nonetheless, they subsequently sold it to Agromar S.A.S. (Equipo de Diálogo Social, 2024).

Consequently, members of the Epinayú clan initiated legal proceedings to obtain temporary protection of their fundamental rights to collective property and the inviolability and conservation of traditional indigenous territory, through the provisional suspension of the effects of the administrative acts by which Incoder awarded the land to the applicants (Equipo de Diálogo Social, 2024). In November 2021, teams from the Secretariat of Agricultural, Environmental and Economic Development and Social Dialogue visited the indigenous community as part of the process of establishing a reserve. During this visit, the formalization of land ownership for ethnic communities was discussed, and a social mapping exercise was conducted.

In this same municipality, the Wayuu indigenous community has conflicted with a private individual since 2016, specifically Mrs. AE,⁶ to whom the Colombian Institute of Agrarian Reform (Incora, Spanish acronym for Instituto Colombiano de la Reforma Agraria) awarded a plot of land for collective use. The land is known as Jari Jinamana, which should have been designated as a reserve in accordance with the guidelines outlined in Resolution 015 of 1984. Nevertheless, according to the community, Incora arbitrarily awarded 60 hectares to a private individual, without considering the existence of a wetland that is part of the Wayuu indigenous community. In addition to these hectares, 40 were auctioned off by order of the First Civil Court of the Riohacha Circuit, without prior review by experts who could have determined any overlap with public, inalienable, and imprescriptible property, as was the case with the aforementioned wetland, which is protected by the municipality's land use plan. The procedure

⁶ The source has been anonymized to protect the identity of the subjects in the territories.

applied to resolve this conflict was the protection of the ancestral territories of indigenous communities (Equipo de Diálogo Social, 2024).

On the other hand, in the municipality of Uribia, a similar conflict (*community-private*) arose between the indigenous Wayuu settlement of *Kamusuchiwou* and the multinational coal company Cerrejón. The indigenous community demanded territorial autonomy and recognition of their ancestral rights from the company. Additionally, the community requested the allocation of approximately 347 hectares of a reserve area established by the now-defunct Incora, as per Resolution No. 067 of 1981. This area is unique in that it is located in Puerto Bolívar, where coal extracted from the soil of the La Guajira department is transported and exported. It should also be noted that the procedure applied in this case was the expansion of indigenous reserves, for which reason the ANT requested that the Wayuu community submit the application with the necessary information to study the case (Equipo de Diálogo Social, 2024).

In addition, the other four conflicts of this type (*community-private*) in La Guajira have required the ANT to develop procedures for demarcating and clarifying land ownership in ethnic matters, reorganizing indigenous reserves and formulating plans for assisting ethnic communities.

Regarding *intercultural* conflicts, in October 2019, a dispute arose in the municipality of Dibulla between indigenous people from the Kogui community and displaced farmers who had been allocated the Campana de la Vega plot of land, which is surrounded by land owned by the Kogui and by the Kogui-Malayo-Arhuaco reserve. Nonetheless, the farmers received the land but within two years were forcibly displaced due to harassment by paramilitary actors and settlement by the Kogui community, who claim the land as ancestral territory and therefore seek to expand the reserve. In turn, the indigenous people are demanding the relocation of the farmers to other properties, while the latter are requesting that their improvements be purchased after the relocation.

Although five plots of land were purchased for relocation, several difficulties arose: *a)* not all of the initial beneficiary families (34) are accounted for, and instead, the organization representing them holds lists of 59 families for whom it is demanding relocation and allocation. *b)* The land division under discussion continues to be earmarked for farmers, which would make it difficult to expand the reserve in the future. And, *c)* peasant families are in a highly vulnerable situation, as territorial conflicts over this issue persist in the area, although the willingness of the actors involved to engage in dialogue is recognized⁷ (Equipo de Diálogo Social, 2024).

In the same municipality, the indigenous communities of Laguna Wamaka, belonging to the Wiwa people, clashed with groups of farmers who had returned independently to the Sierra Nevada de Santa Marta in 2020. The Wiwa authorities report that members of these communities have been threatened, attacked, and displaced from their territory by peasants occupying land within the Kogui-Malayo-Arhuaco reserve (Equipo de Diálogo Social, 2024). Additionally, the indigenous people submitted documentation regarding the process of awarding land for the expansion of the reserve, carried out by Incora under an agreement with National Natural Parks in 2003.

⁷ The appraisal of improvements by the Agustín Codazzi Geographic Institute is pending for the purchase from farmers for the benefit of the Koguis. And it could be considered, given that these are private properties, that the reserve could purchase the property from the farmers. In addition, legal action has already been taken by the Land Restitution Unit on behalf of the Koguis (Equipo de Diálogo Social, 2024).

For their part, the peasants claim they are the legitimate heirs to these lands, as their relatives who owned them never sold them and were displaced from the region by the armed conflict that affected the Sierra Nevada. Now that they have returned, they want the lands that belong to them vacated. It is worth mentioning that the indigenous people have requested a space from the ANT to find a solution to the intercultural conflict that has been arising between these rural actors. Furthermore, it is essential to note that the procedure implemented in these events involved clarifying ownership, which is why the ANT's Social Dialogue Team sent a memorandum to the Directorate of Ethnic Affairs in February 2020, requesting the reorganization of the Kogui-Malayo-Arhuaco reserve (Equipo de Diálogo Social, 2024).

In terms of *intraethnic* conflicts, in 2020, there were clashes between the indigenous communities of the Upper and Middle Guajira reserve in Riohacha, specifically between the Kamachasain-Panteramana-Jayapamana and the Ceibacal-Cardonal, Castro Epiayu-Quintero Epiayu castes, over a dispute regarding territory in which both groups shared an interest. While the former claim to have been living in, occupying and exploiting the territory for 55 years, the latter claim that the municipal government of Riohacha issued a certificate granting them rights over the land where members of the former community are currently settled. Additionally, it is worth noting that the procedure for protecting the ancestral territories of indigenous communities was applied in this conflict.

Finally, another *intraethnic* conflict occurred in the municipality of El Molino, pitting two indigenous peoples against each other: the Wiwa Arzario and the Cariachil community. The background to this conflict stems from the departure of the Wiwa people from the reserve they shared with the Yukpa, which occurred in 2015 due to an increase in population density (Equipo de Diálogo Social, 2024). Consequently, responsibility for relocating this ethnic community fell to the now-defunct Colombian Institute for Rural Development (Incoder), which promised to purchase half of the 1 141 hectares by December 2015 and to secure 100% of the reserve by 2016 (Equipo de Diálogo Social, 2024). Nevertheless, this did not occur, as by the end of 2015, the national government had announced the liquidation of Incoder to establish the new National Land Agency, which halted the agrarian reform process.

The problem escalated when the Ministry of the Interior recognized the Cariachiles as an ethnic group through Resolution 061 of 2018. The Cariachiles also requested protection of their ancestral territory from the Directorate of Ethnic Affairs under Decree 2333 of 2014; this protection extended to the lands that the ANT would purchase to give to the Wiwa of Campo Alegre (Equipo de Diálogo Social, 2024). The Cariachil claimed that during land purchase processes conducted by the National Land Agency, community members were forced to sell their land. Following the Agency's action to resolve this conflict, agreements have been reached between both communities regarding the settlement of the Wiwa reserve in the rural area of El Molino. The ANT approved the purchase of an additional 500 hectares for the relocation of Wiwa families still living in the urban center of Becerril. As can be seen, the state entities involved applied a procedure for establishing indigenous reserves.

Case 2: Vichada

In Vichada, *intercultural* conflicts predominate (4 cases), followed by conflicts between *communities* and *individuals* (4 cases), and a single *intraethnic* case. Regarding the former, in 2020, the community of the Guacamayas Mamiyare reserve in the municipality of Cumaribo clashed with the peasant community living in the neighboring sector following a request to expand the indigenous reserve. This request for expansion was submitted in 1997 to Incora, Incoder and now to the ANT, but as of the publication of this article, it is still in the process of being implemented. It should also be noted that this territorial conflict is exacerbated by the actions of illegal armed groups that are fighting over the territory due to the presence of illicit crops.

A second intercultural conflict pits rural communities benefiting from the National Comprehensive Program for the Substitution of Illicit Crops (PNIS) against the indigenous community of Alto Unuma. The dispute arises from a request for a study on the land's location within an indigenous reserve, which belongs to 51 rural families benefiting from the PNIS.

A third intercultural conflict pits indigenous communities in the municipality of Cumaribo against farmers in the *vereda* (rural district) of Malicia. Each of the actors seeks effective protection of their territorial roots and historical forms of land ownership, which has generated tensions that have escalated to the point of physical encounters between the indigenous community and the farmers of the *vereda* (Equipo de Diálogo Social, 2024).

On the other hand, the most representative conflict between communities and individuals in Vichada occurred in the municipality of Cumaribo, where the indigenous communities of the Mataven jungle reserve clashed with private individuals, such as Mr. AC,⁸ over an overlap in the San Luis sector. In response to the reserve's request, the ANT conducted a topographical survey in May 2019 to verify the boundaries and scheduled a verification visit to the territories of Laguna Negra and Cacao, Sejalito-San Benito and the Berrocal sector of the Orinoco Zone. The other two cases relate to threats to indigenous communities by illegal actors in response to the request to establish an indigenous reserve, or to clashes between indigenous people and private settlers due to a lack of clarity regarding the limits of the reserve and the settlers' property (Equipo de Diálogo Social, 2024).

Regarding the less common intraethnic conflict, the Yajotja collective of the Waipijwi people clashed with the indigenous community of Merey in the Caño Mochuelo reserve. According to reports, the collective relocated 11 families from the Caño Mochuelo reserve with the intention of requesting the establishment of their own indigenous reserve. Notwithstanding, the Caño Mochuelo community emphasizes that these individuals are part of the community and that they have moved for personal reasons, as they are required to participate in activities within the reserve that they refuse to participate in (Equipo de Diálogo Social, 2024).

⁸ The source has been anonymized to protect the identity of the subjects in the territories.

Case 3: Putumayo

The most common conflicts in the Putumayo department are those between *communities* and *individuals* (3 cases), followed by *intercultural* conflicts (2 cases). Situations of conflict with external actors characterize the former. One such conflict is between the indigenous communities of Santa Rosa de Guamuéz and third parties, centered on the partial transformation of their indigenous reserve into a reservation, which allowed for colonization and hydrocarbon exploitation in surplus areas. The community has taken legal action to recover and expand its territory, but faces internal divisions regarding its own leadership, which hinders the completion of studies (socioeconomic, legal and land ownership) necessary to advance its claims. Additionally, there are overlapping territories: the 9th Road Energy Battalion and the El Tigre Police Inspectorate overlap with the reserve, as do three Ecopetrol wells located within the reserve. These land use conflicts further complicate the situation, hindering progress in the recovery of their territorial rights.

In the municipality of Puerto Leguízamo, the Monaide Jitoma indigenous community of the Murui people, located in Putumayo, faces a territorial conflict due to 13 overlapping claims on their collective territory. These claims threaten their plots of land, which are vital for gathering, hunting, fishing, ceremonial uses, and the conservation of ecosystems and medicinal plants. In addition, the conflict is exacerbated by the allocation of part of their traditional territory to the municipality of Puerto Leguízamo for the creation of the Vidales Educational Institute Boarding School, which is causing tensions over the use and control of their ancestral lands.

The third relevant case involved the indigenous community of Santa Cruz de Piñuña Blanco and the private oil project Amerisur, owned by the Vector Company, as three of the seismic lines installed in the project pass through the reserve. This highlights the urgency for ethnic communities to verify the boundaries of the oil company's project (Equipo de Diálogo Social, 2024).

Regarding *intercultural* conflicts, information obtained indicates that an intercultural conflict exists in the municipality of Colón centered on a territorial dispute in the *veredas* of La Playa, El Carmelo and Michoacán, where communities have been developing infrastructure for 33 years. In 2005, the Inga council of Colón began to occupy these lands, based on a 1982 Incora resolution that awarded them the farms. Since then, various legal and administrative actions have arisen because the council has title to the land, but the peasant community has been working on it without legal security. This conflict has been ongoing for over 50 years. "The council obtained title deeds, but it does not physically own the land, and the peasant community has worked the land without obtaining legal security over it" (Equipo de Diálogo Social, 2024). It reflects a struggle for recognition of land rights and the search for a definitive solution.

Another significant conflict of this type occurred in the municipality of Puerto Leguízamo, where the community action board of the *vereda* of Agua Linda clashed with the El Tablero indigenous reserve, belonging to the district of Puerto Ospina. The dispute arose from the intention to expand the indigenous territory in this area,

leading to the invasion of the boundaries of settlers or farmers who had long lived in these territories (Equipo de Diálogo Social, 2024). It is also important to note that the remaining intercultural conflicts (four cases) arose from disputes over overlapping territories between reserves and farmers, or from a lack of knowledge of the boundaries of these rural properties and land-use planning regulations.

Finally, the most significant case of *intraethnic* conflict occurred in the municipality of Villa Garzón. According to the ANT Conflict Database, this conflict arose when:

On June 20, 2020, in an official letter identified with file number 20206200388312, the governor of the council stated that the recognition of the Inga Wasipungo people has disregarded the identity of the Inkal Awá people, and that this recognition has led to an internal conflict where there is no equitable agreement between the indigenous communities. They have been displaced by the armed conflict from their ancestral territory to the municipality of Mocoa, and then, in June of this year, they entered the municipality of Villa Garzón, the territory of the Makana farm, known as the ANZAMA territory, located in the *vereda* of El Sardina. The forced displacement has resulted in the loss of identity and culture, leaving them in extremely poor conditions and in need of basic necessities. (Equipo de Diálogo Social, 2024)

Comments and conclusions

In terms of conflicts between communities and individuals in the three frontier departments (Guajira, Putumayo and Vichada), it is possible to discern the involvement of state institutions (Incora, Incoder, and ANT) as key determinants of the conflict. This is because, in carrying out their territorial functions, they have acted by establishing boundaries or awards that ignore or fail to adequately consider: *i*) collective property and its inviolability, and the facilitation of land alienation processes for the benefit of private actors; *ii*) the existence of interethnic conflicts; *iii*) the boundaries between collective territories and those that can be awarded to private individuals; *iv*) the collective demands of ethnic communities to create new reserves or incorporate new territories into existing reserves that the communities consider ancestral and that continue to be used by private individuals.

In border territories, private individuals have become another causal agent of conflict. In the three departments, various actors (individuals, companies or armed groups) dispute resources and spaces that communities consider essential to themselves, and to this end, they resort to: 1. Bringing legal actions to have their claimed rights over the territories recognized; or, 2. Committing criminal acts (threats, homicides, harassment, forced recruitment and displacement) to secure these rights for themselves and prevent the communities from having them recognized.

The latent conflicts in the three frontier departments can be interpreted as a collision between different ways of conceiving, inhabiting and producing the territory: on the one hand, the struggle between actors who exert extractive pressures on “resources” and communities that defend themselves and fight for the survival of their ethnic/cultural boundary; on the other hand, the struggle between forms of production and organization among communities (ethnic and cultural units) that cohabit

the territory, which establishes complex social relationships between them. All of this can be interpreted in terms of contrasting othernesses and the boundaries they have constructed, which are endowed with social particularities specific to the ethnic groups and cultures that shape dissimilar territorial logics, fostering the collision of rural identities. Therefore, it is possible to speak of three frontier departments that, in turn, are shaped by multiple boundaries, where the dispute assumes nuanced identity characteristics.

In all three departments, intercultural conflicts pit farmers against indigenous communities. These conflicts were generated by: *a)* processes of land allocation to peasants in territories considered ancestral or processes of expansion of reserves over territories defended as peasant property; *b)* the initiation of studies for the establishment of indigenous reserves; *c)* lack of clarification of boundaries between reserves, peasant territories and other land use planning entities (overlaps); *e)* the relocation or return of displaced peasants; *f)* the ineffectiveness of state institutions with jurisdiction over land use planning (Incora, Incoder, ANT).

In terms of intercultural conflicts, the influence of government institutions is also evident. In this case, they are caused by excessive delays in making fundamental decisions to adequately manage conflicts between parties, repeated failures in the development and leadership of intercultural social dialogue processes and the inappropriate management of territorial roundtables between ethnic and cultural communities.

Intraethnic conflict in the three frontier departments is caused by differences between peoples arising from: *a)* divergent interests regarding territory, resources and appropriation among community members; *b)* failed relocation processes for clans or segments of communities; *c)* loss of legitimacy and recognition of leadership within communities.

When addressing conflicts in departmental areas globally, endogenous causes can be seen in the territorial and organizational development of ethnic and cultural units, their interrelationships with other communities with which they coexist in the territory, and the opposition between all of them with the interests of particular actors who do not share the same vision of rural/natural areas on the boundaries, their resources and the forms and types of production therein. Exogenous causes are factors contributed by institutions in the exercise of their mission or in their role as mediators in territorial conflicts. This determination calls for a profound reflection on the scope, methodologies, and timing with which these situations are addressed.

Regarding the mission procedures carried out by the ANT, it can be concluded that, in most cases, they aim to respond to territorial conflicts between actors and constitute logical procedures that seek to provide solutions within the scope of their institutional powers. Nevertheless, little can be said about their effectiveness⁹ beyond the excessive time taken to implement them, a situation evident in several cases in the database. This is a determining factor in the prolongation and intensification of conflicts in the departments.

It is essential to recognize that the prolonged difficulties resulting from a lack of attention or mismanagement may compromise the territorial governance capacity of ethnic and cultural units, exacerbate conflicts, and potentially impact the very survival of their subjects and the possibility of their continued residence in the territory.

⁹ This has not been one of the aims of this paper. To approach this issue, it is necessary to develop a methodological and analytical approach that addresses the resolved conflicts also contained in the ANT database.

In conceptual terms, it can be proposed that the structuring of variables and categories for understanding, recording and monitoring conflicts is adequate and functional for the institutional work of the ANT and may also be so for other government agencies involved in land governance. Notwithstanding, these variables and categories as conceptual devices must be in constant evolution as new factors or causes emerge to determine conflicts.

Rather than resolving conflicts, the efforts of state institutions, ethnic organizations and peasant organizations should aim to transform them in the way described by Lederach (2009), imagining and responding to the ebb and flow of conflicts as opportunities to create processes of change to reduce violence, increase justice and respond to problems that arise among the humans involved. Despite their scarcity, there is an insistence on the need to provide responses—non-contingent, profound, dialogical and consensual—to territorial conflicts, aimed at unleashing processes of change that lead to increased justice and reduced violence (Lederach, 2009). In addition to these, and based on a specific reading of the territorial conflicts developed in the present, the following essential commitments are proposed for their transformation:

- At the institutional level: *i.* Build a unified registration and monitoring system for the classification, consultation, prioritization and follow-up of territorial conflicts from the various state institutions with jurisdiction over them; *ii.* Reduce delays by structuring binding and participatory timelines, setting maximum timeframes and compliance indicators that can be monitored together with the actors involved in the conflicts; *iii.* Accelerate the processes of territorial demarcation by competent institutions, such as the ANT, in conjunction with boundary negotiations between ethnic and cultural communities.
- At the community level, state institutions and ethnic and cultural community organizations must contribute to achieving the following: *i.* Strengthening interethnic and intercultural dialogue processes and capacities; *ii.* Reinforcing territorial governance capacities and the legitimacy of representation and leadership; *iii.* Promoting agreements between and within communities that favor co-governance and specific agreements on the use of and access to territories.

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