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The 'Unconsulted Consultation': Indigenous Self-Determination and Plural Legalities in the Yasuní Referendum in Ecuador

La 'Consulta Inconsultada': Autodeterminación Indígena y Legalidades Plurales en el Referéndum del Yasuní en Ecuador

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Abstract

This article examines the 2023 referendum in Ecuador aimed at halting oil extraction in Yasuní National Park, one of the most biodiverse areas on the planet. Far from being experienced as a democratic victory, the referendum was perceived by the Kichwa organization FCUNAE as an "unconsulted consultation". We argue that this process weakened Indigenous self-determination and reproduced a historical marginalization, despite its celebration as a post-extractive milestone. We reconstruct this history through three key moments —the declaration of Yasuní as a national park in 1979, the beginning of oil extraction in 2016, and the 2023 referendum— to show the collision between plural legalities: the prospective temporality of state law and the ancestral temporality through which Kichwa communities understand their rights.

Keywords: Amazon; Self-determination; Indigenous peoples; Legal pluralism; Yasuní

Resumen

Este artículo examina el referéndum de 2023 realizado en Ecuador para detener la extracción petrolera en el Parque Nacional Yasuní, una de las zonas más biodiversas del planeta. Lejos de ser experimentado como una victoria democrática, el referéndum fue vivido por la organización

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Kichwa FCUNAE como una “Consulta Inconsultada”. Sostenemos que este proceso debilitó la autodeterminación indígena y reprodujo una marginación histórica, pese a su celebración como hito post-extractivista. Reconstruimos esta historia a través de tres momentos clave —la declaración del Yasuní como parque nacional en 1979, el inicio de la extracción petrolera en 2016, y el referéndum de 2023— para mostrar la colisión entre legalidades plurales: la temporalidad prospectiva del derecho estatal y la temporalidad ancestral mediante la cual las comunidades kichwas comprenden sus derechos.

Palabras claves: Amazonía; Autodeterminación; Pluralismo legal; Pueblos indígenas; Yasuní

INTRODUCTION

In August 2023, Ecuadorians voted, by a majority of almost 59%, to stop oil extraction in Block 43 of Yasuní National Park. It was the first time that such a large-scale referendum had been held to decide on the conservation of a protected area and allow the citizens of a country to choose to “keep the oil underground”. As a result, media around the world described the consultation as a historic event: a victory for climate justice, Indigenous peoples, and the planet.[1]

Internationally, Yasuní is renowned as a biodiversity hotspot[2] and was declared a national park in 1979 as well as a UNESCO World Heritage Site in 1989. Furthermore, and even more importantly, before becoming a national park, Yasuní had been Indigenous ancestral territory. Today, around 120 Indigenous communes, both Kichwa and Waorani, as well as two groups known as “uncontacted” or “in voluntary isolation” —the Tagaeri and Taromenane— inhabit the territory.[3]

Despite Yasuní’s designation as a national park, oil extraction expanded in the Ecuadorian Amazon. Ecuador became an “oil country” in the 1970s,[4] and today domestic oil exports are important for the country’s state budget, dollarization, and energy security. Multidimensional dependence is therefore profound, positioning the oil industry as an activity of “national interest” or “social interest” at the constitutional level.[5] Nevertheless, this extractivist “development” model

[1] International media have covered this issue. For example, THE GUARDIAN (2023) ran the headline: “Ecuadorians vote to halt oil drilling in biodiverse Amazonian national park - Referendum result protecting Yasuní reserve will benefit huge range of species as well as ‘uncontacted’ Indigenous peoples.” For its part, NATIONAL GEOGRAPHIC EN ESPAÑOL (2023) described the event as “A historic vote for the planet,” but only mentioned the Waorani nationality as inhabitants of the Yasuní territory, without referring to the Kichwa communities. Finally, the non-profit organization DEMOCRACY NOW! (2023) published: “Great Victory for Indigenous Rights”, in which they interviewed a Kichwa activist who does not reside in the communities directly affected.

[2] BASS, *et al.* (2010).

[3] The commonly used terms “voluntariness” and “no contact” must be applied critically, since both oil extraction and logging do not effectively respect the territories of these groups. Furthermore, incidents of violence related to these activities have occurred —and continue to occur— despite an “untouchable zone” being declared in 1999 and its boundaries set in 2007. ÁLVAREZ (2017) p. 111; CABODEVILLA (2007), pp. 119-120; pp. 124-126. In this context, the case was repeatedly brought before the Inter-American Court of Human Rights over the last two decades; finally, in 2020, the Ecuadorian state was denounced for the systematic violation of the human rights of the Tagaeri and Taromenane peoples, emphasizing the state’s responsibility to protect the rights of these groups. ORGANIZATION OF AMERICAN STATES (2020).

[4] ALARCÓN (2021); LU, *et al.* (2017).

[5] See Art. 313, 407 and 408.

has also generated conflict in the Ecuadorian Amazon. Both Indigenous and Mestizo communities, as well as activists, oppose oil extraction, each with their own agendas and interests.[6]

Therefore, from an outside perspective, the referendum on the Yasuní could easily seem like the result of a decades-long struggle by a united front of activists and Indigenous communities against the expansion of the oil frontier. Over time, the Yasuní itself became a metonym for a post-oil future, as repeated encroachments by oil companies —especially Texaco— created a collective memory of destruction[7] and spurred eco-Indigenous alliances and transnational activism.[8] Since the 1990s, campaigns and proposals for an oil moratorium, culminating in the Yasuní-ITT Initiative (which will be discussed later), framed the area as a testing ground for radical alternatives that articulated biodiversity, Indigenous rights, and climate justice.[9] Even after the failure of the Yasuní-ITT Initiative in 2013, civil society continued to mobilize for the protection of the national park, with the result that the 2023 referendum consolidated the Yasuní both as a concrete conservation victory and as a global emblem of the post-extractivist possibility.[10]

Nevertheless, at the local level, more ambivalent feelings prevailed regarding this national vote and its aftermath.[11] Rather than a victory, it felt like an "unconsulted consultation" —or even an "insulting consultation", according to some people. The Federation of United Communes of the Kichwa Nationality of the Ecuadorian Amazon (FCUNAE) developed growing doubts about the legitimacy of the Yasuní referendum: the instigators of the consultation, its process, and its outcome. For the federation, it was a symbol of exclusionary decision-making, carried out over their heads, without any dialogue with the true "owners" of the territories. FCUNAE represents 73 communes in total, six of them located in Yasuní, four of which lie within the oil block that was the subject of the consultation. Thus, they felt part of a "social experiment" in which they never chose to participate, as President Misael Jipa expressed at the time. To be more precise, the feeling turned into disappointment, sadness, and anger. After all, Yasuní was Indigenous ancestral territory —long before it was declared a national park and, consequently, long before it became a matter for the entire nation to decide on its fate.

This paper provides a nuanced analysis of the ambivalence that this referendum provoked for FCUNAE and its member communities, which are directly affected by its outcome. By listening to the latter, we will obtain a richer account and new questions will arise about Indigenous self-determination and plural legalities in the Ecuadorian Amazon —especially for a transition to a post-oil future at the local level. We, a team composed of FCUNAE's former territorial leader, Rafel Yumbo, and two academics from Ecuador and Germany, aim to analyze the Yasuní referendum from an emic lens, that is, from the perspectives of the affected Kichwa communities and their parent organization. In this way, we seek to value Indigenous knowledge and contribute to a more epistemologically just academic dialogue.

We propose the term *plural legalities* to emphasize the role of temporality both in the notion of "multiple territorialities"[12] and in legal pluralism. The debate on the temporal aspects of legal pluralism[13] has become increasingly relevant in relation to Indigenous peoples and their demands for autonomy[14], as well as in relation to the way in which legal forms, in a broader sense, can

[6] Not to mention the heterogeneity within each of these groups.
[7] KIMERLING (2013); VAUGHN (2007); HURTIG & SAN SEBASTIÁN (2002).
[8] TEMPER, *et al.* (2013).
[9] ESPINOSA (2013); TEMPER & MARTÍNEZ-ALIER (2013); CERTOMÀ & GREYL (2012); RIVAL (2010); LARREA & WARNARS (2009); ACCIÓN ECOLÓGICA (2000); BRAVO & MARTÍNEZ (1993); VAREA, *et al.* (1997).
[10] See VALLADARES & HOGENBOOM (2024); VALLEJO, *et al.* (2015); TEMPER, *et al.* (2013).
[11] DAYOT (2023).
[12] WALDMÜLLER & ALTMANN (2018).
[13] DE LA CADENA (2015); MARTÍNEZ (2006); POVINELLI (2002).
[14] WHEATLEY (2020), She calls it "non-synchronous sovereignty".

constitute time itself with specific political effects, giving meaning and strength to asymmetrical and relational frameworks.[15] In dialogue with this literature, we highlight the frictions that emerge from the divergent temporalities of rights and constitutional guarantees: on the one hand, a prospective, future-oriented, and rather linear tendency (which dominates legal discourse); and, on the other, a retrospective tendency, of a more circular nature (present in the local sphere, in an Indigenous context).

We critically discuss the approaches to this controversial referendum in order to question the limits of prevailing concepts such as "self-determination" and "environmental justice". On the one hand, we argue that there is an intrinsic tension in the concept of self-determination as anchored in the Ecuadorian Constitution: on the one hand, the failure to comply with the legal norms in force leaves our Kichwa interlocutors with the feeling of being second-class citizens, forgotten, ignored, and marginalized by the Ecuadorian state; and, on the other, the inadequacy of those same norms. The term "self-determination" has become an accepted legal form, a translation intended to fit into legal language and national and global frameworks; nevertheless, such language is often alien to the very communities it purports to refer to. Concepts such as "self-determination", for instance, may lack immediate or practical meaning for many members of the Kichwa communities, precisely because they are not their own. On the other hand, we extend this argument along the same lines by also problematizing the limits and assumptions of emerging concepts in academic-activist circles. Opinions considered "uncomfortable", for instance, about the continuation of oil extraction, expressed by Indigenous groups that do not coincide with (presumably critical) ideas about environmental justice —which highlight Indigenous self-determination as a cornerstone— tend, nevertheless, to be invisible and excluded, thus perpetuating historical marginalization and reinforcing stereotypes of Indigenous essentialism.

We structure the article around three moments that violated the rights of Kichwa communes living in the Yasuní, particularly in Block 43. The first moment dates back to 1979, when Yasuní was declared a national park. Here, the concept of plural legalities is introduced in greater depth to discuss the legal asynchrony that characterizes the experience of violation in this context. The second moment is in 2016, when oil extraction began in Block 43 of the Yasuní without prior free and informed consultation, as provided for in the 2008 Constitution. This section explores the effects of non-compliance with constitutional guarantees, contributing to the perception of being treated as second-class citizens. It also analyzes how Indigenous communities deployed forms of strategic adaptation in the face of imposed extractive operations, in a scenario of legal and power asymmetries. The third moment occurred in 2023 with the referendum on oil extraction in Yasuní-ITT.[16] To understand the ambivalence generated by this national vote, the background to the referendum is first contextualized, including the Yasuní-ITT Initiative and its failure in 2013.

Subsequently, the referendum is analyzed as perceived by FCUNAE and its directly affected member communes as an "unconsulted consultation", which highlights the complexity of plural legalities. Finally, we contrast an emic reading of the case from the perspective of Indigenous self-determination and collective rights with a reading from activist and environmentalist sectors; and offer a critical reflection on what follows the "post-consultation" future. The popular consultation on Yasuní foreshadows a process of closure that is yet to come in other parts of Ecuador, as no oil block in the country has been completely closed to date. In this sense, we are invited to reflect more broadly on how transition processes towards post-oil futures are carried out in Indigenous

[15] SAWYER & OFRIAS (2022), pp. 223-224.
[16] Block 43, also known as ITT or Yasuní-ITT, owes its name to the Ishpingo, Tiputini, and Tambococha oil fields.

territories, who is responsible for ensuring a just transition and, above all, who defines what is just for whom.[17]

I. "With or without title, we are the owners": Legal Asynchrony and the Creation of Yasuní National Park

Yasuní is configured through overlapping territorialities: it constitutes Indigenous ancestral territory, a protected area, and an intangible zone for the Tagaeri and Taromenane, while at the same time hosting several oil blocks, some of which are in operation. According to Waldmüller and Altmann, these multiple and conflicting territorialities arise from "legal facts and state references; that is, from historical and current appropriations of the so-called territory, but at the same time from the defense of what is one's own".[18] In other words, territorialities —whether "other" or dominant— arise from different ideas of relationship, control, and possession over Nature and land.

These tensions between different territorialities —Indigenous territory, conservation areas, oil blocks— can be seen on the map (Figure 1), as today the Ecuadorian Amazon is almost completely divided into oil blocks, regardless of whether or not they overlap with a national park and/or Indigenous ancestral territory. In this sense, the linear arrangement of the blocks is reminiscent of colonial demarcations in other contexts. Recurring intrusion into different Indigenous territories and into the Yasuní itself, as a national park —the highest standard in terms of conservation— underscores that the oil frontier is an absolute priority of the Ecuadorian state, and the state has the final say in strategic sectors. This is further evidenced by the fact that, within the state structure, there is a nested hierarchy between different legal entities, plans, and sectoral ministries.[19] Since the creation of Yasuní National Park, its boundaries have been modified twice "to allow oil prospection and drilling".[20] Lewis cynically summarized that "it was simply a means for the state to control lands to exploitation [...] parks existed in paper but were not protected on the ground", thus being reduced to "paper parks", as she calls this practice.[21]

We argue that these territorialities not only arise from "legal facts", but also produce temporal logics that influence them. In other words, plurality is not restricted to territory and its multiple conceptualizations, but expands to temporality, with important consequences for "legal facts". The latter should be understood as legalities (in the plural), as they arise from different ideas about law, including its spatiality and temporality. In this sense, Wheatley has highlighted the role of temporality within legal pluralism: there are legalities structured by a temporal rather than a spatial logic; that is, plural legalities —and autonomies— expressed in "the language of history" rather than geography.[22] With this, Wheatley opens a debate on the ancestry of Indigenous rights, which facilitate or frustrate attempts to achieve greater autonomy in the present. Returning to the concept of plural legalities, we highlight the importance of legal temporalities —for instance, in the case of constitutional guarantees. From this perspective, we propose reexamining the creation of Yasuní National Park in order to better understand the tensions with Indigenous territories in the area, as well as the discontent recently generated around the referendum on Yasuní-ITT.

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[17] Combariza, *et al.* (2024) for a critical reflection on what a just transition entails.
[18] Waldmüller & Altmann (2018), p. 7, authors' translation.
[19] Schwab & Combariza (2024).
[20] Espinosa (2013), p. 29; Bravo (2005).
[21] Lewis (2016), pp. 70–71.
[22] Wheatley (2020), p. 55.

The creation of the Yasuní National Park took place in a legal context—the 1979 Constitution—in which, for the first time, the existence of Indigenous peoples was formally recognized as part of the social structure of the state.[23] Nevertheless, it was not until the 1998 and 2008 Constitutions that the collective rights of Indigenous peoples were explicitly protected.[24] Therefore, at that time, it was impossible for the Kichwa communities in the Yasuní to legally challenge the creation of the National Park, despite their ancestral occupation of the territory.

It should be noted that the organizational process of the communes that today make up FCUNAE began in 1959. From there, in the 1980s, in response to growing colonization and the expansion of the oil frontier, more communes were formed to defend their territory, as well as the first second-degree organizations, i.e. federations consisting of several communes.[25] FCUNAE was established with its organizational statute in 1984.[26]

For Rafael, former territorial leader of FCUNAE, it is clear that the communes in Yasuní should receive collective titles over their territories based on their ancestral possession and the concession for self-demarcation (*concesión a la autolinderación*). Nevertheless, "until now, they have limited [our boundaries], saying that the entire Yasuní Park belongs to the state". For him, the Kichwa communities are "ancestral inhabitants" who have occupied and used the territory for generations, giving rise to a legitimate territorial claim, prior to the state and its legal frameworks —based on ancestry and the *pacha* itself. In the Kichwa language, the concept of *pacha* refers simultaneously to space, time, and the interrelated totality or cosmos, a concept that encompasses relational thinking.[27] Consequently, the declaration of the National Park did not mean that Yasuní ceased to be Indigenous territory, since the Kichwa people have lived and continue to live with the forest in this place —an ancestral relationship that also influences ideas about law and its temporality. Understanding that divergent legalities overlap in the Yasuní is key to recognizing different conceptions of time itself and of legal temporality, and ultimately to understanding the tension between the national state and Indigenous communities in the area, not only in relation to extractive projects, but also to conservation initiatives.

From Rafael's point of view, the legitimacy of the Indigenous movement's claims was ultimately recognized by international agreements, such as ILO Convention 169 of 1989, and the 2008

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[23] In the case of the Waorani people, at that time they did not even maintain regular contact neither with the Mestizo world nor with the Ecuadorian state.

[24] Although from the 1970s onwards, Indigenous communities in the Ecuadorian Amazon increasingly resorted to collective titling under the commune model (based on the 1937 Commune Law and the 1964 and 1973 Agrarian Laws) as a strategic legal tool to defend their ancestral lands, respond to the erosion of their territories, and assert their rights in the face of multiple threats, land titling remained fragmented and was conditioned by oil expansion. Furthermore, these first collective awards of land operated under an integrationist logic centered on the Mestizo model, oriented mainly toward agricultural development. Only the 1998 Constitution recognized the collective rights of Indigenous peoples, including the imprescriptible possession of community lands. This recognition was reinforced by the 2008 Constitution, which introduced the broader concept of "ancestral territory", emphasizing its cultural, historical, and spiritual dimensions, and not just land as a productive resource.

[25] The term "commune" encompasses a more territorial aspect than "community". Communes, in this context, are autonomous, and their parent organization, FCUNAE, acts solely as their representative. Nevertheless, FCUNAE hold no own land titles, which prevents it from making decisions about the territory. The importance of being recognized as communes, and not simply as communities, stems from the demand for the legalization of land titles based on ancestral possession. This legalization can take place when a commune or community has maintained possession for 50 years or more. MINISTRY OF AGRICULTURE AND LIVESTOCK (2022). Currently, 11 of the 73 communes affiliated with FCUNAE —six of them within Yasuní National Park— have not yet had their ancestral land titles legalized. Nevertheless, we prefer to use this term as part of their self-designation, as it reflects the conflict arising from their territorial situation.

[26] This decade also saw the confirmation of third- and fourth-level organizations, namely the Confederación de Nacionalidades Indígenas de la Amazonía Ecuatorian (CONFENIAE) in 1980 and the Confederación de Nacionalidades Indígenas del Ecuador (CONAIE) in 1986.

[27] ANDY, *et al.* (2012), p. 27; ESTERMANN (2006), pp. 157–158.

Ecuadorian Constitution —and should logically be applied retroactively, since these instruments only formalized what the communities had been demanding for decades in their struggle, rather than marking a "turning point" from which such rights would apply only forward. Rafael pointed out, for instance, that when Yasuní National Park was created, "the state had the obligation to consult the people", as set forth under the 2008 Constitution, "but they never did, never. They said that Yasuní National Park belonged to the state. That is how they have been deceiving us".

There is evidence of legal asynchrony within the postcolonial state. From the perspective of FCUNAE and its member communes, the 21 collective rights enshrined in the 2008 Ecuadorian Constitution have their own temporality. In other words, they existed even though they were not recognized before 2008. From this ontology, the violation of collective rights began when Yasuní was declared a national park in 1979 —and, broadly speaking, when national territory was superimposed on autonomous Indigenous territories and the territories of "uncontacted" peoples. Given that collective rights were only enshrined in the Ecuadorian Constitution in 2008 after decades of struggle by Indigenous peoples and nationalities, today, the granting of titles through Legalization by Ancestral Possession is denied to communities that have been settled ancestrally within the National Park, demonstrating another legal ontology, but one that is dominant.

Rafael's position on this issue reflects a circular conception of legality: a more flexible legal temporality, in which constitutional guarantees are applied retrospectively and should be extended to grievances from the past. It is thus clear how multiple legal temporalities come into direct conflict, as they are intrinsically intertwined with overlapping territorialities, *i.e.* with different ideas of relationship, control, and possession over Nature and land.

From the perspective of the state, the National Park has clearly been inalienable national territory since 1979, subject to strict conservation rules —with significant consequences: "They don't allow us to do any activity, any development; it's totally prohibited". The president of the commune of Indillama, a Kichwa community located within Yasuní National Park, explained that they must submit a Land Use Plan, approved by the Ministry of Environment, even to carry out subsistence agricultural activities (*chakra*) in the area, highlighting the legal hierarchies that emerge between Indigenous collective rights and the conservation laws that govern national parks. This makes discussions about nature conservation complex, as the rules imposed in relation to conservation areas often conflict with the cultural and economic practices of Amazonian Indigenous peoples and nationalities. While a national park can, for instance, attract tourism and economic opportunities —desired by the settled communities— it also constitutes an imposition and an affront to their autonomy.

"*But* the mining companies come, the oil companies come, and they are given access, they are given everything!" criticized Rafael, pointing out the double standard of the Ecuadorian state with regard to protected areas, including Yasuní. "Now that we understand, we say, 'No, that is our territory!' [...] We are the owners, with or without title, we are the owners as ancestral inhabitants." That is why FCUNAE, as the representative of its member communities in the Yasuní, issued a resolution in 2018 to inform the Ministry of Environment, as well as the Ministry of Agriculture —responsible for land titling— that "we are the legitimate owners of that territory". Unfortunately, so far without success.

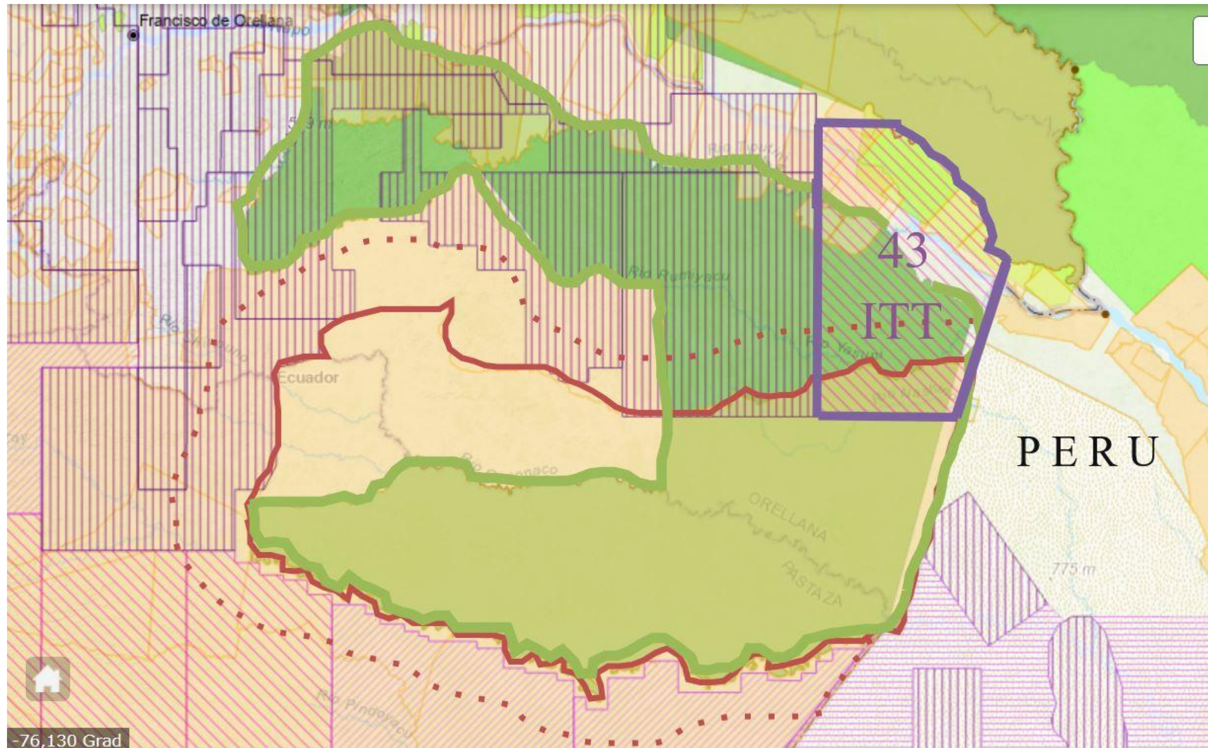

Figure 1: Yasuní National Park (green area) located in the Ecuadorian Amazon. The different protected areas are shown in green, Indigenous territories with title are in yellow, the intangible zone and buffer zone are marked in red, and oil blocks are in purple. Ancestrally, everything on this map was and is Indigenous territory, inhabited by different Amazonian nationalities. Block 43, also known as the ITT block after the names of the oil fields —Ishpingo, Tambococha, and Tiputini— is located at the Eastern end of the border with Peru. Prepared by the authors with the Amazonian Network for Geo-Referenced Socio-Environmental Information (RAISG), 2024.

II. "It's an imposition, it's not even a negotiation": Oil extraction in Block 43.

If we consider that extraction in Yasuní-ITT began after 2008, that is, under the new Constitution, the collective rights of the Kichwa communities in Block 43 were officially violated —according to prevailing legal opinion— when no free prior and informed consultation was carried out in accordance with accepted standards, and the national oil company, Petroecuador, was allowed to begin extraction.

The right to free prior and informed consultation (FPIC) in Ecuador is recognized in the 2008 Constitution (Art. 57, numeral 7) —in accordance with ILO Convention 169— guaranteeing consultation with Indigenous peoples before any project that affects their territories. Nevertheless, it is not binding for the state to obtain their consent. Compliance with the FPIC process has been criticized for its purely formal nature and ineffective implementation.[28]

[28] The Constitutional Court, in ruling 273-19-JP/22 (Sinangoe case, January 27, 2022), set mandatory standards for FPIC, recognizing that it must be carried out in the early stages, including extractive activities in neighboring territories, and reinforced the state's obligation to justify decisions when community demands are not accepted. These tensions were reflected in the National Strike of June 2022, when CONAIE demanded effective compliance with FPIC and a moratorium on new extractive concessions, denouncing superficial consultations and calling for greater recognition of collective rights.

Petroecuador's arrival in Block 43 —since 1992 and intensified since 2013— resembles strategies documented in other extractive contexts. The company makes promises that address the needs and desires of local communities; and if necessary, it applies a "divide and conquer" strategy.[29] In the Boca Tiputini commune within Block 43, members recalled during a workshop that there was a long list of development aspirations that never materialized. "In this way", Rafael concluded, "the oil company arrived and settled in". When they finally consented to oil extraction, they established five fundamental conditions related to healthcare, education, transportation, housing, and electricity. They consider that there has not yet been fully reciprocal exchange with which they could feel satisfied, according to the testimony of one commune member: "Yes, there have been improvements, but there is also a debt on the part of the oil company —it has not met expectations, and it has now been [...] 8 years of oil production [...] we should be in better conditions".

Not only were the bilateral agreements between the communes and the oil company at the local level not fulfilled, but there were also repeated violations of constitutional guarantees. Even under a dominant legal framework, based on a legal temporality projected toward the future (and not the past), the collective rights of Indigenous peoples were not respected in this case, reinforcing feelings of second-class citizenship. These violations, recurring since 2008, must also be understood in a broader historical context, in which the state has systematically promoted oil extraction, generating confrontations —sometimes violent— with Amazonian communities.

However, despite confrontations and strikes, the communes are forced to adapt to the circumstances. This does not mean, however, that they consent to oil extraction or that they can be described as "pro-oil". As Rafael points out, extraction "is an imposition; there is not even any negotiation". Few communes manage to set up catering or transportation companies; most lack the educational level and resources necessary to undertake such initiatives. In these cases, one-off payments for the expansion of operations are the only opportunities to "negotiate". This scenario is exacerbated by the "absent presence" of the state,[30] which intervenes only to secure extraction, while remaining absent when it comes to providing basic services, as evidenced by chronically underfunded local governments —despite oil revenues.

Nevertheless, in this context, a "middle ground"[31] emerges between extractive companies and Indigenous host communities, where a certain degree of collaboration arises through forms of strategic engagement —contrasting with the image of absolute resistance by Indigenous communities to extraction.[32] This dynamic can be interpreted as a creative application of Indigenous agency aimed at reinforcing self-determination, which complements and nuances views that reduce these relationships exclusively to dependency or clientelism.[33]

This ambivalent scenario, which combines an "absent presence" of the state, forced and creative collaborations between local communities and oil companies, and the simultaneity of strikes and strategic negotiations, reveals a complexity that is fundamental to understanding the events and emotions linked to the 2023 referendum on Yasuní-ITT, which will be examined in the following.

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[29] SAWYER (2004); WILSON (2023).
[30] BAINTON & SKRZYPEK (2021).
[31] HIGH & OAKLEY (2020).
[32] CALVÃO, *et al.* (2023); HIGH (2020), p. 5; PENFIELD (2019); ANTHIAS (2018); WILSON & BAYÓN (2017); ANTHIAS (2016); MCNEISH (2012), offer nuanced analyses of Indigenous peoples and extractive operations that go beyond this imaginary.
[33] DAYOT (2023); SCHWAB (2025).

III. "Yasuní is one thing, YASunidos is another": The Yasuní-ITT Referendum as a Democratic Victory or Ignorance of Collective Rights?

The history of the national referendum on oil extraction in Yasuní-ITT can be understood from the perspective of FCUNAE and its member communes as another moment in which their collective rights were ignored because no information was shared about who YASunidos were and what the scope of the referendum would be, nor was a FPIC held in the communes of the Yasuní-ITT. In this sense, at the local level, the outcome of the referendum was not perceived as a victory for Indigenous rights —as some media reported— but as another violation of constitutional guarantees.

Although the Constitution does not provide for the FPIC mechanism in this case, since the area is designated as a national park and therefore national territory, this situation reveals ambivalence in how collective rights and their scope are understood. In addition to many current conflicts having roots that date back long before the 2008 Constitution came into force, in this particular case, the expectation was that, at the very least, the dispute over the legality of the National Park would be considered and the ancestral inhabitants of the area would be taken into account through a FPIC, rather than imposing a national referendum and treating them like the other 13 million Ecuadorians that could vote in the popular consultation on the future of the Yasuní-ITT. It becomes clear that there is a conflict in *how* to put the legal pluralism in practice.

The referendum was promoted by an urban youth movement called YASunidos. In this context, FCUNAE leaders have pointed out that "Yasuní is one thing, YASunidos is another", emphasizing that the Kichwa communities have ancestral roots in the territory, while YASunidos "has no territory". This fact underscores that any decision on the territory should be made by the Indigenous communes in the area, not by the state or any other group. This ontology is based on the fact that life in the territory and the coexistence of its inhabitants and Nature is inseparable. In this view, those who do not live in the territory lack the right to make decisions about it. Nevertheless, to make this autonomy happen is tricky in practice, causing conflicts with other territorialities and legal ontologies.

YASunidos emerged in 2013 in reaction to the failure of the Yasuní-ITT initiative that same year. This initiative was initially proposed by civil society and later embraced by the administration of former President Rafael Correa. It is an example of the dilemma faced by a postcolonial state such as Ecuador, whose challenge is to transform an economic model historically based on extraction of natural resources —a legacy of colonialism— while remaining immersed in global power structures and economic dynamics. Of particular note is the spiral of debt driven by the International Monetary Fund and World Bank policies.[34] Despite numerous criticisms of the Ecuadorian state, the question is what would be a realistic alternative to abandoning the role of raw materials exporter and moving toward a post-extractivist model.[35] One such alternative was the Yasuní-ITT initiative, which offered an alternative future for Block 43 (or ITT block). The initiative took place between 2007 and 2013, when there was still no oil extraction in Yasuní. Correa proposed an agreement to the international community: pay the Ecuadorian state the equivalent of the value of the oil under the ITT in exchange for the conservation of the area. This plan was a win-win scenario for both climate protection and the Ecuadorian state's finances. It was a new development model. Instead of relying on traditional extractivism, it would generate income through nature conservation, similar to carbon markets. Though it is debatable whether this proposal is also extractivist or rentier in nature, it would have represented a major step

[34] Riofrancos (2020).
[35] Alarcón (2024).

forward for Ecuador in its efforts to reduce its dependence on oil. Indeed, the transition to an alternative economic model in the context of the energy transition is a considerable challenge for exporting countries.[36] Nevertheless, the Yasuní-ITT initiative failed. In retrospect, it is believed that Correa anticipated this failure due to the lack of commitment from the Global North countries, which did not show enough willingness to participate, and the high oil prices at the time, which significantly increased the amount requested.[37] This outcome allowed Correa to highlight the double standards of the Global North as well, which urges countries in the South to preserve Nature while maintaining consumption and production patterns typical of the "imperial way of life".[38]

In response to the failed campaign, in 2013 the YASunidos collective began collecting signatures to demand a national vote on this issue, a right that the Ecuadorian Constitution grants to all its citizens.[39] YASunidos managed to collect more than 755,000 signatures —well above 5% of the electorate required by the Constitution— in order to call a referendum on oil extraction in Block 43. Nevertheless, the situation was complicated by fraud. After a highly controversial verification process, the National Electoral Council disqualified a significant portion of the signatures, alleging inconsistencies and invalid registrations.[40]

As a result, the referendum was blocked and the Ecuadorian state instead began preparations for oil extraction in the Yasuní-ITT, declaring it to be in the national interest. Ultimately, production began in the controversial block in 2016.[41] YASunidos claimed that the process was fraudulent and politically motivated, turning the failed referendum effort into a broader critique of democratic backsliding and the limits of citizen participation in Ecuador during the Correa administration. What followed was a nearly ten-year legal battle in various courts, which ultimately reached the Constitutional Court. In May 2023, the Court ruled on the case, paving the way for the referendum to take place and recognizing that YASunidos' right to democratic participation had been violated in the past.

This account clearly underscores that justice has been served in response to the violation of YASunidos' rights to political participation. It is a success story —rightly celebrated by civil society at the (inter)national level. Nevertheless, it overlooks the fact that, on the one hand, the context surrounding Yasuní-ITT has changed dramatically since 2013 with the start of oil extraction in the block and that, on the other hand, the strategic mobilization of the National Park itself requires sensitivity and inclusion towards those who already feel that their rights have been violated at the local level.

The FCUNAE organization and the communes it represents expressed their disagreement with the process resulting from this judicial ruling. As already noted, the Yasuní is, above all, Indigenous ancestral territory belonging to the Kichwa and Waorani nationalities, as well as to

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[36] ALARCÓN (2024).
[37] NEIRA (2021); BERMEO (2021); ACOSTA (2013).
[38] BRANDT & WISSEN (2018).
[39] In addition to Article 104 (referendum by popular initiative), YASunidos invoked Article 11.2 (collective exercise of rights), Article 61.1 (citizen participation in matters of public interest), Article 71 (rights of Nature), and Article 398 (right to environmental consultation) to base its claim on constitutional guarantees of environmental protection and democratic participation. Although the latter article (Art. 398) refers mainly to consultation with directly affected communities, such as Indigenous or rural populations near a project, YASunidos broadened its interpretation to argue that Ecuadorian society as a whole should be considered the "affected community."
[40] BERMEO (2021).
[41] Oil exploitation in the ITT expanded after 2019 thanks to the modification of the boundaries of the intangible zone with Executive Decree 751. This reform was challenged in Ruling 28-19-IN/22 (Constitutional Court, 19 January 2022), which declared several of its articles unconstitutional because they had been enacted without pre-legislative consultation and with deficiencies in the protection of the Tagaeri and Taromenane peoples, essentially restoring the original wording of 2007.

the Tagaeri and Taromenane peoples. Therefore, they believe that a FPIC should have been carried out with their communities and representatives. If the result of such a consultation had been favorable to oil production, the rest of the Ecuadorian nation should have accepted the decision, even though it is a national park and national territory. "Clearly, the consultation was unconsulted," Rafael reiterated, "it is unconsulted with the people who live there". From his perspective, "the rights [...] set forth in the constitution" were violated.

IV. "Saying that the Oil Should Stay Underground is Easy, but What are the People Going to Live on Here?": Local Views on the Referendum

The referendum held in August 2023 was not the same one that could have been held a decade earlier. Firstly, the consultation was no longer about whether or not to expand the oil frontier into this sensitive area, but rather about stopping oil extraction in the Yasuní-ITT, which was a fundamentally different situation. At the national level, the debate resulted in calls to avoid the so-called stranded assets and the loss of recently acquired income; while at the local level, the scenario had also changed dramatically. As discussed above, an oil company creates a middle ground in a territory where relationships of dependency are created and cannot easily or voluntarily be undone. The mayor of Aguarico, the canton where Yasuní-ITT is located, expressed his disagreement with the referendum in an interview, despite the fact that ten years ago the population would have agreed: "We opposed it [extraction], but now, after 10 years, they come to ask us what they couldn't do 10 years ago".

In addition, Ecuador is currently undergoing a polycrisis. Following the collapse of oil prices during the last oil crisis in 2014, the economic crisis deepened with the pandemic; the security crisis reached new dimensions with the killings of political figures and the expansion of criminal gangs linked to drug trafficking; and the political crisis became evident with the special elections of 2023. These crises are interrelated and reinforce each other.[42]

Although at the national level a majority of Ecuadorians supported keeping the oil underground, approximately 41% opposed it, mainly due to uncertainty about how the country would continue to finance itself amid these crises. In the Amazonian province of Orellana, where Block 43 is located, the result was actually contrary to the national average: around 58% voted against keeping the oil underground, while approximately 42% were in favor.[43] Looking more closely at the Aguarico canton, we see that 28.39% of the population chose to "leave the oil underground", while 71.61% were in favor of continuing oil operations.[44]

In fact, initially it seemed that both former President Guillermo Lasso and current President Daniel Noboa would not respect the referendum's result, invoking the security crisis and increased military spending. Lasso described the implementation of the popular consultation as "suicide" for the country.[45] Then, in May 2024, his predecessor Noboa created a committee for dismantling the oil infrastructure in Block 43.[46] Although this sends a much clearer signal than

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[42] Dressler & Wolff (2024); Abad, *et al.* (2022); Castellanos, *et al.* (2021).
[43] Primicias (2023a).
[44] In the Aguarico canton, 3,466 people voted. For parishes relevant to the ITT block, the results were as follows: Nuevo Rocafuerte (42.71% Yes, 57.29% No), where the greatest overlap with the facilities is concentrated; Cononaco (21.76% Yes, 78.24% No); Tiputini (23.82% Yes, 76.18% No); and Santa María de Huiririma (16.99% Yes, 83.01% No). Other parishes in the canton, less relevant to the ITT block, obtained: Capitán Augusto Rivadeneira (26.32% Yes, 73.68% No) and Yasuní (45.80% Yes, 54.20% No). CNE (2023).
[45] Primicias (2023b).
[46] La Hora (2024).

his predecessor's stance, it leaves many questions unanswered. Despite initial progress, such as the closure of some wells, the complete dismantling process is projected to be completed in 2029, with environmental remediation extending until 2034.[47] The organization of the Waorani Nationality of Ecuador (NAWE), for instance, has expressed concern about the slow pace of the process and the lack of effective participation by local communities in the implementation of the plan presented by the Committee.[48]

The start of oil extraction in the affected area not only means that the state has made significant investments, resulting in considerable losses, but has also created new socioeconomic relationships between local communities and Petroecuador, the state-owned company responsible for operating in Block 43. These new dependencies have transformed many people's perceptions of oil production, as reflected in the results of the referendum and the testimony of the mayor of Aguarico, who noted that ten years ago the population would probably have voted against oil. Nevertheless, today both the referendum and oil extraction are viewed with ambivalence. Oil is seen as an opportunity, offering access to basic services and state infrastructure —which would otherwise be lacking due to the state's neglect of these areas— but at the same time it has significant environmental and sociocultural impacts on communities. Similarly, the referendum is interpreted as an opportunity, as long as there is the necessary support from the state and civil society to implement economic alternatives and ensure the remediation of affected areas.

Some communities did not want the oil company to leave. They were aware that the promised benefits often did not turn out as they had imagined at the beginning. For instance, there are no direct jobs with the oil companies (most job opportunities disappear after the initial phase of operation) and compliance with agreements must be enforced through strikes and ongoing negotiations. On top of this there are often more environmental impacts than expected and recurring conflicts among community members. However, this situation was still considered more beneficial than having no connection with an oil company. This collaboration with oil companies —highly ambivalent and risky— is not perceived without reservations, but rather as a way to exercise agency and self-determination, avoiding paralysis.[49]

The reality for many Kichwa communities today is that they must coexist with and adapt to oil extraction, even if forced to do so.[50] As in any society or human group, there are diverse and also changing opinions about extraction.[51] Instead of making hasty judgments or excluding historically marginalized voices from the discourse because they do not fit an idealized image of Indigeneity, we argue that the motivation to continue collaborating with an oil company is based on the aspiration for autonomy, even though this may seem paradoxical at first glance.

Rafael reported that, during a FCUNAE meeting, an internal ballot was held among the 73 affiliated communities on the question raised in the upcoming national referendum, asking whether Ecuadorian citizens wanted to keep the oil in Block 43 permanently underground. The majority of communities voted against this proposal, favoring oil extraction: "Some communities did not agree, and some communes did". Rafael recalled the different arguments presented by both sides:

> "The communes [...] that had already created a company to be able to work [with the oil company] [...] said: 'What would happen if we said that the oil should stay underground?' Then they would be left out, because they told us: 'Look, we have already created the

[47] COMITÉ DE EJECUCIÓN DE LA VOLUNTAD POPULAR YASUNÍ-ITT (2024).
[48] BERISTAIN (2024).
[49] SCHWAB (2025).
[50] VALLEJO, *et al* (2016).
[51] EISENSTADT & WEST (2019), p. 80.

> catering and river transport company to work with the oil company'. [...] So they said, 'We don't want that'. Others said, 'We have no way of accessing [benefits], no way of getting jobs, we do want the oil to stay underground'".[52]

In the end, the majority rule applies in Kichwa decision-making spaces: "And there, the majority won. [...] 69 communes [out of 73] approved oil production". The president of Samona Yuturi expressed the concerns of this majority: "YASunidos, or the Ecuadorian state [...], should first think about what can replace oil so that the [...] communes can live and have economic income". He also pointed out: "It's easy to say that the oil should stay underground, but what are the people going to live on here?" He added: "There is no solution from the state". Although they would like to focus more on community tourism as an alternative "for the future", at the moment "that is not happening yet".

While the YASunidos campaign focused on alternatives to oil extraction at the national level and on addressing the difficulties Ecuador would face as a state in leaving the Yasuní-ITT oil underground, there has been no discussion or reflection on what the transition to a post-oil future would mean at the local level, particularly for grassroots communities.[53] This reflects blind spots also present in previous contributions that offer valuable insights into financing alternatives for leaving fossil fuels underground, but do not address how these dynamics translate into everyday concerns at the community level. As a result, objectives such as "protect[ing] societies those [sic] are genuinely sustainable and ensur[ing] their future through protected areas" or "build[ing] people-to-people, solidaristic international relationships based on environmental justice" remain abstract.[54] Mechanisms such as ecological debt, donations, or tax reforms are discussed without considering Indigenous local communities in terms of direct compensation. Nevertheless, these issues of redistribution without intermediation are, in turn, of critical interest to the territory. As Rafael put it: "Conservation is the same as extraction: no money reaches the communities. What alternatives are we going to have?"

Furthermore, the members of YASunidos did not engage in dialogue or socialize the scope and implications of the referendum, a fact that, for FCUNAE, was perceived as a clear sign of disrespect towards the territory and its inhabitants. For this reason, Rafael and Misael referred to the referendum as an "unconsulted consultation", and even reported that some communities called it an "insulting consultation": "There was no effort on the part of YASunidos or the state to really come to the territory, to inform us of the situation: what it meant, why here, what it meant to say 'yes' or 'no'". Consequently, there was not even the possibility of forging an alliance with the collective. The key question, then, should be why no alliance was formed between YASunidos and FCUNAE.

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[52] A few communes have managed to set their own companies to provide catering and river transport services to the oil company. Nevertheless, so far, only three companies have been created in two communes.
[53] YASunidos and a network of affiliated economists propose a set of fiscal measures to replace the income from oil extraction in the Yasuní-ITT, including reducing tax evasion, eliminating unjustified tax exemptions, implementing a permanent wealth tax, increasing income tax for large economic groups, targeting subsidies to domestic gas, and reintroducing a progressive vehicle tax. Together, these measures could generate more than $1.7 billion annually, far exceeding the projected revenues from oil exploitation in the ITT. These proposals are part of broader visions of a post-extractivist economy focused on biodiversity, eco-tourism, and renewable energy. SALVADOR, *et al.* (2024).
[54] YÁNEZ (2013), p. 159.

V. "CAN WE REALLY DECIDE?" AN EMIC DISCUSSION ON INDIGENOUS SELF-DETERMINATION

On its website, YASunidos commits to fighting for the rights of Nature, intergenerational justice in relation to climate change, and the rights of Indigenous peoples in isolation.[55] Indigenous leaders, whether from national or regional organizations, and/or representatives of the Waorani nationality —often perceived as the "most" Indigenous nationality within a semiotic system of Otherness because they are "recently contacted"— usually attend press conferences.[56] Scientists and activists who critically report on the injustices at stake also participate. Some of them have published works that address concepts such as environmental justice from a decolonial and intersectional approach,[57] as well as the irregularities and negative effects of oil production in Yasuní.[58] The international YASunidos campaign tends to mobilize a global community as well as future generations who would benefit from the protection of Yasuní National Park. For instance, both a symbolic international signature collection and a fundraising campaign were organized.

However, there appear to have been certain blind spots in the campaign, according to dialogue with representatives of FCUNAE. While the rights of Indigenous peoples in isolation were rightly highlighted, surprisingly little emphasis was placed on the communities directly affected by the consultation, as well as their parent organization, FCUNAE. In other words: How can we avoid these blind spots and foster the creation of more inclusive alliances? To answer this question, we take an emic approach and focus below on what struggles for Indigenous self-determination are —and what they are not— and, most importantly, how they are carried out in practice. This practice-based reflection on Indigenous self-determination highlights crucial differences between the idealized notions prevalent in non-Indigenous civil society and the lived experience of local communities.

Indigenous struggles for self-determination are not struggles for environmental justice or climate justice, although concepts such as "transformative decolonial environmental justice"[59] or "Indigenous relational environmental justice"[60] suggest some overlap. While these intersections may generate alliances with a "fragile overlapping agenda"[61], this does not mean that they are equivalent. Tuck and Yang emphasize that the two projects are incommensurable and "simply cannot speak to each other". Recognizing —rather than sidestepping— this incongruity is key to creating "opportunities for what can only be strategic and contingent collaborations".[62]

From this perspective, Indigenous struggles for self-determination may be incommensurable with the Yasunization agenda, which claims to be capable of "transcend[ing] and unify[ing] place-based and universal environmental justice struggles",[63] or with other ideas related to environmental justice, even though all of them claim that the "self-governing authority" of Indigenous peoples[64] and "environmental autonomy and self-determination"[65] play a central role in their proposals. This reveals disconnection and a profound misunderstanding of these terms, as highlighted in the following passage on Yasuní-ITT: "[w]e conclude that the moratorium in

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[55] See YASUNIDOS (n.d.).
[56] DAVIDOV (2013).
[57] See MENTON, *et al.* (2020).
[58] MOREANO & BAYÓN (2021).
[59] TEMPER (2018).
[60] ULLOA (2017).
[61] TSING (2005), p. 268.
[62] TUCK & YANG (2012), p. 28.
[63] TEMPER & MARTINEZ-ALIER (2013), p. 171.
[64] TEMPER (2018), p. 105.
[65] ULLOA (2017), p. 175.

territories inhabited by indigenous and tribal peoples is necessary to ensure their collective survival. It is the *only* measure which can effectively guarantee their rights".[66] From this perspective, YASunidos unquestionably appears progressive, not as an actor that "feed[s] into the matrix of coloniality".[67] We ask critically: if a moratorium (or referendum) is the "only means that can effectively guarantee" collective rights and "collective survival", why was dialogue and collaboration with the Kichwa communities in the Yasuní-ITT not sought?

Is the fact that they were simultaneously in a middle ground with the oil company interpreted as giving up the fight for collective rights? We warn that these insinuations reproduce Indigenous essentialism and are highly paternalistic.

The first fundamental problem concerns the convergence of Indigenous struggles and environmental struggles. The simultaneous environmentalization of Indigenous struggles and Indigenization of environmental struggles influenced each other and eventually shaped ideas about how these struggles should be conducted and, implicitly, what Indigeneity should look like.[68] Although the debate over the representation of the "ecological noble savage"[69] is considered to have been resolved in environmentalist and progressive circles, the example of the Yasuní referendum suggests otherwise. Ideas about how struggles for Indigenous self-determination or alliances with Indigenous peoples should be conducted persist, often in terms set by external actors rather than by the Indigenous Other.

This is clearly evident in the visibility of the Tagaeri and Taromenane, first in the Yasuní-ITT Initiative and then in the discourse of YASunidos. Espinosa analyzed that the protagonism of these two "uncontacted" peoples is rooted in "the story-line of the 'last free people' [...] resembling the European myth of the 'noble savage' that idealizes the innate goodness —in this case sustainability— of those human beings not corrupted by civilization".[70] The Tagaeri and Taromenane —and not the Waorani or the Kichwa— are considered "the true guardians of the rainforest".[71] Nevertheless, even among the Waorani —a relatively recently contacted nationality— and the Kichwa, a subtle hierarchy exists regarding who was most suitable, that is, consistent with the representation of Indigeneity promoted by YASunidos, to be invited to discussion forums. As FCUNAE leaders pointed out, they were not contacted for these events; nevertheless, selected Waorani leaders and representatives of CONAIE and CONFENIAE suddenly became spokespersons for the entire Yasuní.

The second problem refers to what Indigenous self-determination really means and how it is misinterpreted or co-opted by environmental groups. As previously noted, the term "Indigenous self-determination" is not an emic concept, but an etic (external) one, which again reflects the epistemic hegemony over Indigenous struggles. Rafael pointed out that "self-determination is not a term that is widely known or deeply understood at the grassroots level, in the communes; even many of the leaders do not use it, which makes it somewhat difficult to explain". For this reason, in conversations about territory, "self-determination" or "autonomy" are not mentioned frequently. People refer more to the "defense of territory" or the 'struggle' (*lucha*) to allude to their constitutional rights. Rafael observed a distance from academic frameworks: "Several of these terms, even in the Mestizo world, are relatively new. For instance, the concept of self-determination of Indigenous peoples has become common in law and academia in Ecuador since the entry into force of ILO Convention 169".

[66] MURCIA & DEL MAR (2013), p. 140, emphasis added.
[67] GÓMEZ-BARRIS (2017), p. 136.
[68] See CONKLIN & GRAHAM (1995).
[69] REDFORD (1991).
[70] ESPINOSA (2013), p. 31.
[71] CABODEVILLA, *et al.* (2004), p. 120.

Rafael was clear in his criticism: "It is complex to explain 'self-determination', since the Mestizo world generally expects communities to answer what they want to hear. We often agree with them so as not to delve into discussions that we consider insignificant". He also reflected that "many of the terms such as self-determination also came to us with oil", a time when the Ecuadorian Amazon was invaded more intensely and on a larger scale than during the rubber boom or the religious missions; that is, Indigenous peoples needed new strategies to protect their territories. In this context, the concept of self-determination was born. Nevertheless, Rafael added skeptically: "Now we understand that this term allows us to decide on our territory, but we ask ourselves: Can we really decide?"

This was a key point in Rafael's conceptualization of what self-determination meant to him: its practice. Although he emphasized that such a concept should be rooted in Kichwa notions of "the world as a unified whole, Nature is part of us and we are part of it," which is linked to ontological debates, he also critically questioned what conditions would allow for such self-determination according to his worldview:

> "Very few communes have refused to allow oil companies to enter their territory, but they have done so because they have lucrative tourism projects that are a far cry from the reality of most of FCUNAE's Kichwa communes. But we ask ourselves: is it self-determination or economic alternatives that drive their resistance?"

This rhetorical question makes it clear that self-determination is not something that the communes intervened by oil companies have stopped practicing: they practice it by adapting to circumstances. Rafael emphasized that oil extraction, in the end, has always been and will always be an imposition: "It doesn't even come to a negotiation". But it is important to understand: "As long as we don't have clear alternatives to offer the communities, as long as the state does not guarantee them a peaceful life, food, and education, we don't see a way out".

For this reason, a collaboration —a middle ground— between environmental organizations and FCUNAE ultimately failed. The understanding of Indigenous self-determination was limited to a theoretical ideal, failing to consider its practical dimensions or how this would translate into an equitable middle ground.

VI. The consequences of the "unconsulted consultation": Critical reflections towards the future

We wonder who will take responsibility after the referendum and, looking ahead, with the reduction of oil blocks in operation, for the environmental damage and economic alternatives for Amazonian communities. This question applies both to those who benefited from the presence of oil companies in the past and to those who, due to a "lack of preparation", could not access these benefits. Will it be the state, historically biased against Amazonian communes? Or will it be NGOs and the international community, concerned about the climate crisis and the conservation of the "Lungs of the Earth"?

At one of our editorial meetings, Rafael expressed his frustration: "What do we get in return for sustainable conservation? We want to work in community tourism, but how? The state doesn't help us, not even with training. The municipalities and governments don't support us [...] But global warming is generating funding for Ecuador".

After several failed attempts, Rafael finally managed to contact a representative of YASunidos to discuss these questions. Nevertheless, the meeting never took place. According to Rafael, the YASunidos representative clarified that they were not a public entity and advised them to take their complaints to the Ministry of the Environment. This advice generated discontent for two

reasons. First, because the scheduled meeting never took place: "They have private, international funding. We know they have raised funds. We are upset because they are not talking to us face to face, because we cannot talk to plan, to understand what needs to be done to get funds". Second, because the Ministry of the Environment is not responsible for tourism projects, which points to the need for a coordinated inter-ministerial effort to address the consequences of the closure of oil blocks.

Beyond the environmental challenges related to remediation, it is essential to address the social and economic dimensions of a transition to a post-oil future, ensuring that it is not merely technocratic, but truly just.[72] In addition, Rafael emphasized that the Ministry of Environment itself allowed the state-owned company to extract oil in a national park that it should protect, highlighting the need for critical reflection on the past to understand the current distrust, beyond a holistic effort looking toward the future.

The good news is that, amid this discontent, organizations and Indigenous communes in the Ecuadorian Amazon are reorganizing, creating new collaborations among the affected nationalities.[73] Despite the uncertainty and fear of "chaos" about what is to come, as Rafael points out, this moment is serving to mobilize communities. This context offers an opportunity to move forward.

Rafael reported that the Kichwa and Waorani nationalities, through FCUNAE and the Organization of the Waorani Nationality of Orellana (ONWO), are jointly formulating their post-consultation concerns to present to the state:

> "How are we going to be affected? And who will be responsible? That is the issue. [The Waorani and Kichwa organizations] sought to engage in conversations with all the ministries, all the institutions, all the NGOs, and all the foundations to see what the alternative might be. However, this alternative has remained stagnant. There is still no clear concept. [...]
>
> Who is going to be responsible for the total remediation? And now, since the Ecuadorian state says there are no resources, no money, because it is in crisis. [...] So what is going to happen to our people who are living there? The pollution will remain there. [...] They have built pools to dispose of the contaminated wastewater, and they are still there. Where are they going to take them? How are they going to take them? [...] Who will be responsible? [...]
>
> We are affected by two things: by the pollution and by the oil that comes out, and what will be [the economic alternative] in exchange for that. And who will be responsible for that? The state or institutions, NGOs?"

In short, the closure of oil blocks in the Amazon poses major challenges in terms of environmental remediation and creation of economic alternatives for affected communities, all amid distrust towards the state and lack of coordination with other stakeholders. Uncertainty remains about who will bear responsibility for remediating the environmental damage caused by oil operations in Yasuní. Indigenous communities such as the Kichwa and Waorani fear that the Ecuadorian state will not assume this responsibility due to a lack of resources and the current polycrisis. This concern is exacerbated by the state's history of discriminating against Amazonian

[72] COMBARIZA, *et al.* (2024); ALARCÓN, *et al.* (2022).

[73] It should be noted that within Indigenous nationalities and among organizational levels (national, regional, provincial, and local), positions differ on the referendum and the post-referendum situation. Often, FCUNAE, representing local communes as a provincial organization, disagrees with CONFENIAE or CONAIE. Also, within the Waorani nationality, some organizations and even family clans are collaborating directly with YASunidos, while other representatives and communes have sought an alliance with FCUNAE. It is important to understand that there are no homogeneous positions within the Indigenous nationalities.

communities, denying them territorial guarantees, and allowing oil extraction in protected areas. This situation reinforces widespread distrust of state institutions.

Both the communes that previously benefited economically from oil activity and those that, due to structural obstacles, did not have access to these benefits, express concern about the future after the closure of the oil blocks. Economic alternatives, such as community tourism, are being explored, but the lack of support and coordination from the state prevents their effective development.

Likewise, the possible role of NGOs and the international community, especially given their interest in the climate crisis and Amazonian conservation, in providing support to the affected communities has been considered. Nevertheless, the communities express their dissatisfaction with the lack of communication and the absence of joint planning with these organizations.

CONCLUSIONS

The referendum on oil production in Block 43 of Yasuní has highlighted not only the persistence of violations of collective rights of the Kichwa communes, but also the collision of plural legalities that structure these violations. By recreating three key historical moments —the declaration of the National Park in 1979, lack of prior consultation in 2016, and the popular consultation in 2023— we show that these episodes are not just isolated instances of exclusion, but manifestations of a deeper conflict between divergent legal temporalities: on the one hand, the prospective and linear logic of state law and, on the other, the retrospective and circular logic of Indigenous communities, which claim the validity of collective rights based on their ancestry and coexistence with the *pacha*.

The analysis thus contributes to debates on plural legalities by highlighting that the dispute is not limited to the coexistence of norms, but rather cuts across the concept of legal time itself and the way in which it orders relations of power and recognition. It also contributes to the literature on consultation rights by showing that the referendum—celebrated as a democratic triumph—simultaneously served as a mechanism for denying FPIC. The "unconsulted consultation" paradigmatically embodies how instruments of citizen participation can displace and delegitimize constitutional and ancestral rights, replicating hierarchies between different forms of legality; it shows, in particular, how the concept of a national park can end up outweighing a legitimately claimed ancestral territory.

In this context, self-determination and environmental justice are intertwined in a complex manner. While Indigenous self-determination is experienced as the defense of territory against external impositions —often through a middle ground with allegedly antagonistic players, such as oil companies and the state itself— environmental justice and climate agendas often project a guardian ideal of Indigeneity, which disregards the heterogeneity of local experiences and positions. Understanding these tensions requires a framework of plural legalities, able to explain why struggles for environmental justice may overshadow Indigenous self-determination when legal asynchronies and specific historical contexts are ignored.

Even terms such as "self-determination", widely recognized in legal and academic circles, stem from a hegemonic system of knowledge. This does not imply that they lack utility or critical relevance but rather invites us to foster ongoing dialogue that maintains a connection with local realities. As Martínez points out, we observe an excess of "research" and a shortage of "translation". She warns that "the indigenous peoples and peasants who inhabit the Yasuní have

been absent from these representations. This distance has constructed an image of Yasuní that is closer to Western rationality and positivist science than to the inhabited territory".[74]

We warn of the risk that, following the victory of the referendum on oil extraction in Yasuní-ITT, the economic and environmental implications of a post-oil transition at the local level will be underestimated. The communes in Block 43 will be among the first in the country to face the challenges of a transition to a post-oil future, which in Ecuador means the search for a new economic model. It is essential to address both environmental remediation and creating sustainable economic alternatives for local communities. That requires clearly defining who is responsible for repairing the accumulated environmental damage and providing economic support to the affected communes.

Given the location of these Amazonian communities in an exceptional biodiversity area, world-renowned for its role in mitigating climate change, the question of how to fairly distribute climate action funds allocated to Ecuador to support this transition to a post-oil future at the local level arises. These resources should fairly support the transition to a post-oil future, focusing particularly on local communities, which are key to the conservation of this unique environment.

Looking ahead, this case raises a fundamental question for Ecuador and other extractive contexts: how to design a truly pluralistic legal framework? This implies recognizing that referendums and FPIC are not equivalent or interchangeable mechanisms; and that ancestral possession requires a retrospective application of collective rights, which dominant state law tends to deny. A just transition requires not only addressing environmental remediation and ensuring sustainable economic alternatives, but also incorporating these divergent legalities into the institutional design itself. Ultimately, the "unconsulted consultation" shows that the post-oil future will be as much a question of economic alternatives as it is of legal justice. Only through a dialogue that articulates the multiple temporalities and legalities at stake is it possible to move toward a future where Amazonian Indigenous peoples are not mere spectators of national decisions, but protagonists of a truly pluralistic legal order and a transition that fully respects their rights, autonomy, and dignity.

[74] MARTÍNEZ (2021), p. 79.

BIBLIOGRAPHY

Abad, Angélica, Aldaz Peña, Raúl, Dávila Gordillo, Diana & Vallejo Vera, Sebastián (2022). "An Unwelcomed Deja-Vu: Ecuadorian Politics in 2021", in *Rev. cienc. polít.* (Santiago), Vol. 42, N.° 2, pp. 281–308. <https://doi.org/10.4067/s0718-090x2022005000112>.

Acción Ecológica (2000). "Ecuador Post Petrolero", manuscrito no publicado. Available at: <https://www.accionecologica.org/wp-content/uploads/ecuador-post-petrolero.docx.pdf.>.

Acosta, Alberto (2013). "La Iniciativa Yasuní-ITT: Una crítica desde la economía política", in Coyuntura, N.° 16, pp. 31-49.

Alarcón, Pedro (2021). *The Ecuadorian Oil Era.* Nomos.

Alarcón, Pedro (2024). "What next for supply-side policy in the south: emerging lessons from Ecuador's Yasuní initiative", in *International Environmental Agreements*, Vol. 24, pp. 75-90. <https://doi.org/10.1007/s10784-024-09624-2>.

Alarcón, Pedro, Combariza, Nadia Catalina, Schwab, Julia & Peters, Stefan (2022). "Rethinking 'Just Transition': Critical Reflections for the Global South", in *TRAJECTS Policy Brief.* Available at: <https://trajects.org/resource-library/item/81>.

Álvarez, Kati (2017). "Presiones a los territories de los Tageiri, Taromenane y otras familias no contactadas en la Amazonía ecuatoriana", in *Ciencia Política*, Vol. 12, N.° 24, pp. 97-114. Available at: <https://doi.org/10.15446/cp.v12n24.66655>.

Álvarez, Kati (2017). "Presiones a los territorios de los Tageiri, Taromenane y otras familias no contactadas en la Amazonía ecuatoriana", in *Ciencia Política*, Vol. 12, N.° 24, pp. 97–114. Available at: <https://doi.org/10.15446/cp.v12n24.66655>.

Andy Alvarado, Pedro, Calapucha Andy, Claudio, Calapucha Cerda, Lineth, López Shiguango, Horlando, Shiguango Calapucha, Karina, Tanguila Andy, Angélica, Tanguila Andy, Darwin & Yasacama Aranda, Carmen (2012). *Sabiduría De La Cultura Kichwa De La Amazonía Ecuatoriana*: Tomo II. Dineib; UNICEF.

Anthias, Penelope (2016). "Indigenous Peoples and the New Extraction: From Territorial Rights to Hydrocarbon Citizenship in the Bolivian Chaco", in *Latin American Perspectives*, Vol. 45, N.° 5, pp. 136–53. Available at: <https://doi.org/10.1177/0094582X16678804>.

Anthias, Penelope (2018). *Limits to Decolonization: Indigeneity, Territory, and Hydrocarbon Politics in the Bolivian Chaco.* Cornell University Press.

Bainton, Nick & Skrzypek, Emilia (2021). *The Absent Presence of the State in Large-Scale Resource Extraction Projects.* ANU Press.

Bass, Margot S., Finer, Matt, Jenkins, Clinton, Kreft, Holger, Cisneros-Heredia, Diego, McCracken, Shawn, Pitman, Nigel, English, Peter, Swing, Kelly, Villa, Gorky, Di Fiore, Anthony, Voigt, Christian & Kunz, Thomas (2010). "Global Conservation Significance of Ecuador's Yasuní National Park", in *PloS one*, Vol. 5, N.° 1, e8767. Available at: <https://doi.org/10.1371/journal.pone.0008767>.

Beristain, Carlos Martín (2024). *Enomeme Gopokimoni: Informe sobre una perspectiva psicosocial y comunitaria del cumplimiento de la decisión de la consulta cuidadana y dictamen de la Corte Constitucional sobre el cierre de las explotaciones del ITT en el Parque Yasuní.* Available at: <https://www.accionecologica.org/wp-

content/uploads/Informe-CIERRE-OPERACIONES-DE-PETROLEO-EN-EL-YASUNI-abril-2024-Version-final-Informe-ENOMEME.pdf>.

BERMEO, Pedro (2021). "La lucha por la defensa de la utopía: el Yasuní", in MOREANO VENEGAS, Melissa & BAYÓN JIMÉNEZ, Manuel (eds.), *La explotación del Yasuní en medio del derrumbe petrolero global*, Friedrich-Ebert-Stiftung Ecuador/Abya Yala, pp. 93-100.

BRANDT, Ulrich & WISSEN, Markus (2018). *The limits to capitalist nature: theorizing and overcoming the imperial mode of living,* Row & Littlefield International.

BRAVO, Elizabeth (2005). "Oil Exploitation in the Yasuní Biosphere Reserve", in BRAVO, Elizabeth & YÁNEZ, Ivonne (eds.), *Assaulting the Paradise: Petroleum Companies in Protected Areas*, Oilwatch, pp. 35–74.

BRAVO, Elizabeth & MARTÍNEZ, Esperanza (1993). *Amazonía por la vida: debate ecológico sobre el problema petrolero en el Ecuador,* Acción Ecológica.

CABODEVILLA, Miguel Ángel (2007). "Pueblos ocultos", in PARELLADA, Alejandro (ed.), *Pueblos indígenas en aislamiento voluntario y contacto inicial en la Amazonía y el Gran Chaco*, Grupo Internacional de Trabajo sobre Asuntos Indígenas (IWGIA), pp. 118–132.

CABODEVILLA, Miguel Angel, SMITH, Randy & RIVAS TOLEDO, Alex (2004). *Tiempos De Guerra: Waorani Contra Taromenane*, Abya Yala.

CALVÃO, Filipe, ARCHER, Matthew & BENYA, Asanda (2023). *The Afterlives of Extraction: Alternatives and Sustainable Futures,* BRILL.

CASTELLANOS SANTAMARÍA, Ana Sofía, DANDOY, Régis & UMPIERREZ DE REGUERO, Sebastián (2021). "Between a Rock and a Hard Place: Ecuador During the COVID-19 Pandemic", in *Revista de Ciencia Política*, Vol. 41, N.° 2, pp. 321–351.

CERTOMÀ, Chiara & GREYL, Lucie (2012). "Nonextractive Policies as a Path to Environmental Justice? The Case of the Yasuní Park in Ecuador", in HAARSTAD, Håvard (ed.), *New Political Spaces in Latin American Natural Resource Governance,* Studies of the Americas, Palgrave Macmillan, pp. 199–216.

COMBARIZA, Nadia Catalina, SCHWAB, Julia & PETERS, Stefan (2024). "El iceberg de las 'Transiciones Justas'", in VARGAS FORERO, Gonzalo Alfredo (ed.), *Más allá de la descarbonización: transición energética, justicia y desarrollo*, Universidad de Los Andes.

COMITÉ DE EJECUCIÓN DE LA VOLUNTAD POPULAR YASUNÍ-ITT (2024). *Informe sobre Impactos, puntos de atención y acciones ejectuadas respecto al Cumplimiento de la consulta popular para el cierre anticipado de operaciones y abandono del bloque 43 ITT. Agosto 2024.* Available at: <https://primicias.s3.amazonaws.com/pdfPrimicias/YASUN%C3%8D+%E2%80%93+ITT+(CEVP+YASUN%C3%8D-ITT).pdf>.

CONKLIN, Beth A. & GRAHAM, Laura R. (1995). "The Shifting Middle Ground: Amazonian Indians and Eco-Politics", in *American Anthropologist*, Vol. 97, N.° 4, pp. 695-710.

CONKLIN, Beth & GRAHAM, Laura (1995). "The Shifting Middle Ground: Amazonian Indians and Eco-Politics", in *American Anthropologist,* Vol. 97, N.° 4, pp. 695–710.

CONSEJO NACIONAL ELECTORAL (CNE) (2023). *Resultados Finales. Elecciones presidenciales, legislativas anticipadas 2023 y consultas populares: Yasuní y Chocó Andino.* Available at: <https://app01.cne.gob.ec/resultados2023_anticipadas>.

DAVIDOV, Veronica (2013). *Ecoturism and Cultural Production: An Anthropology of Indigenous Spaces in Ecuador*, Palgrave Macmillan.

DAYOT, Julie (2023). "Valuation Struggles in the Ecuadorian Amazon: Beyond Indigenous People's Responses to Oil Extraction", in *Journal of Political Ecology*, Vol. 30, N.° 1. Available at: >https://doi.org/10.2458/jpe.2970>.

DE LA CADENA, Marisol (2015). *Earth Beings: Ecologies of Practice Across Andean Worlds,* Duke University Press.

DELGADO PONCE, Juan Francisco, GUERRA CORONEL, Marcelo Alejandro, PIEDRA CORREA, Mishell Alexandra & SOLANO PAUCAY, Vicente Manuel. (2024). *Guía de Jurisprudencia Constitucional. Derecho a ser consultados*, Corte Constitucional del Ecuador; Centro de Estudios y Difusión del Derecho Constitucional (CEDEC); Universidad Politécnica Salesiana.

DEMOCRACY NOW! (2023). "Gran victoria para los derechos indígenas: Ecuador vota mayoritariamente a favor de prohibir la extracción de petróleo en el Parque Nacional Yasuní de la Amazonía", Goodman, Amy, 23 de agosto 2023. Available at: <https://www.democracynow.org/es/2023/8/23/gran_victoria_para_los_derechos_indigenas>.

DRESSLER, Elena & WOLFF, Jonas (2024). "From Political Instability to 'Internal Armed Conflict': Ecuador's Multiple Crisis, in *Revista de Ciencia Política*, Vol. 44, N.° 2, pp. 269-293.

DUNLAP, Alexander (2023). "The Structures of Conquest: Debating Extractivism(s), Infrastructures and Environmental Justice for Advancing Post-Development Pathways", in *International Development Policy*, Vol. 16, pp. 1-31. Available at: <https://doi.org/10.4000/poldev.5355>.

EISENSTADT, Todd & WEST, Karleen (2019). *Who speaks for Nature? Indigenous Movements, Public Opinion, and the Petro-State in Ecuador*, Oxford University Press.

ESPINOSA, Cristina (2013). "The Riddle of Leaving the Oil in the Soil—Ecuador's Yasuní-ITT Project from a Discourse Perspective", in *Forest Policy and Economics*, Vol. 36, pp. 27–36. Available at: <https://doi.org/10.1016/j.forpol.2012.07.012>.

ESTERMANN, Josef (2006). *Filosofía andina: Sabiduría indígena para un mundo nuevo,* ISEAT.

GÓMEZ-BARRIS, Macarena (2017). *The Extractive Zone: Social Ecologies and Decolonial Perspectives*, Duke University Press.

GUDYNAS, Eduardo (2011). "Desarrollo, derechos de la naturaleza y buen vivir después de Montecristi", in WEBER, Gabriela (ed.), *Debates sobre cooperación y modelos de desarrollo. Perspectivas desde la sociedad civil en el Ecuador*, Centro de Investigaciones Ciudad/Observatorio de la Cooperación al Desarrollo, pp. 83-102.

HIGH, Casey (2020). "'Our Land Is Not for Sale!' Contesting Oil and Translating Environmental Politics in Amazonian Ecuador", in *J Latin Amer Carib Anth*, Vol. 25, N.° 2, pp. 301–23. Available at: <https://doi.org/10.1111/jlca.12494>.

HIGH, Casey & OAKLEY, Elliott (2020). "Conserving and Extracting Nature: Environmental Politics and Livelihoods in the New 'Middle Grounds' of Amazonia", in *The Journal of Latin American and Carribean Anthropology,* Vol. 25, N.° 2, pp. 1–12.

HURTIG, Anna-Karin & SAN SEBASTIÁN, Miguel (2002). "Geographical Differences in Cancer Incidence in the Amazon Basin of Ecuador in Relation to Residence Near Oil Fields",

in *International Journal of Epidemiology*, Vol. 31, N.° 5, pp. 1021–1027. Available at: <https://doi.org/10.1093/ije/31.5.1021>.

KIMERLING, Judith (2013). "Lessons from the Chevron Ecuador Litigation: The Proposed Intervenors' Perspective", in *Stanford Journal of Complex Litigation*, Vol. 1, pp. 241–294.

LA HORA (2024). "Gobierno de Noboa crea Comité para cumplir con el cierre del ITT", 9 de mayo 2024. Available at: <https://www.lahora.com.ec/pais/gobierno-noboa-crea-comite-cumplir-cierre-itt/>.

LARREA, Carlos & WARNARS, Lavinia (2009). "Ecuador's Yasuni-ITT Initiative: Avoiding Emissions by Keeping Petroleum Underground", in *Energy for Sustainable Development*, Vol. 13, N.° 3, pp. 219–223. Available at: <https://doi.org/10.1016/j.esd.2009.08.003>.

LEWIS, Tammy (2016). *Ecuador's Environmental Revolutions: Ecoimperialists, Ecodependents, and Ecoresisters*, The MIT Press.

LU, Flora, VALDIVIA, Gabriela & SILVA, Néstor L. (2017). *Oil, revolution, and Indigenous citizenship in Ecuadorian Amazonia,* Palgrave MacMillan.

MARTÍNEZ NOVO, Carmen (2006). *Who defines Indigenous? Identities, Development, Intellectuals, and the State in Northern Mexico*, Rutgers University Press.

MARTÍNEZ, Esperanza (2021). "Mucha investigación, poca traducción", in MOREANO VENEGAS, Melissa y BAYÓN JIMÉNEZ, Manuel (eds.), *La explotación del Yasuní en medio del derrumbe petrolero global*, Friedrich-Ebert-Stiftung Ecuador/Abya Yala, pp. 79-82.

MCNEISH, John-Andrew (2012). "More Than Beads and Feathers: Resource Extraction and the Indigenous Challenge in Latin America". En HAARSTAD, Håvard (ed.), in *New Political Spaces in Latin American Natural Resource Governance*, Palgrave Macmillan, pp. 39–60.

MENTON, Mary, LARREA, Carlos, LATORRE, Sara, MARTINEZ-ALIER, Joan, PECK, Mika, TEMPER, Leah, & WALTER, Mariana (2020). "Environmental justice and the SDGs: from synergies to gaps and contradictions", in *Sustainability Science*, Vol. 15, pp. 1621-1636.

MINISTERIO DE AGRICULTURA Y GANADERÍA (2022). "Legalización de territorios ancestrales presentada por comunas, comunidades, pueblos y nacionalidades", 15 de septiembre 2022. Available at: <https://www.gob.ec/mag/tramites/legalizacion-territorios-ancestrales-presentada-comunas-comunidades-pueblos-nacionalidades>.

MOREANO VENEGAS, Melissa & BAYÓN Jiménez, Manuel (2021). *La explotación del Yasuní en medio del derrumbe petrolero global,* Friedrich-Ebert-Stiftung Ecuador/Abya Yala.

MURCIA, Diana & DEL MAR PÉREZ, María (2013). "Hydrocarbons and the Opposition of Indigenous Peoples", in EJOLT (ed.), *Towards a Post-Oil Civilization: Yasunization and Other Initiatives to Leave Fossil Fuels in the Soil*, pp. 140–69.

NATIONAL GEOGRAPHIC EN ESPANOL (2023). "Un voto histórico a favor del planeta: Así es la lucha en el Parque Nacional Yasuní en la Amazonía ecuatoriana", LEIJA, Lydia, 21 de agosto 2023- Available at: <https://www.ngenespanol.com/ecologia/ecuador-amazonas-un-voto-a-favor-del-planeta-asi-es-la-lucha-en-el-parque-nacional-yasuni/>.

NEIRA, Mariana (2021). "Yasuní: el gran engano correísta a los jóvenes", Plan V Hacemos Periodismo, 31 de enero 2021. Available at: <https://planv.com.ec/historias/sociedad/yasuni-el-gran-engano-correista-jovenes/>.

ORGANIZATION OF AMERICAN STATES (2020). "IACHR refers case on Ecuador to the Inter-American Court", 5 de octubre 2020. Available at: <https://www.oas.org/en/iachr/media_center/PReleases/2020/245.asp>.

PENFIELD, Amy (2019). "The Wild Inside Out: Fluid Infrastructure in an Amazonian Mining Region", in *Soc Anthropol*, Vol. 27, N.° 2, pp. 221–35. Available at: <https://doi.org/10.1111/1469-8676.12647>.

POVINELLI, Elizabeth (2002). *The Cunning of Recognition: Indigenous Alterities and the Making of Australian Multiculturalism*, Duke University Press.

PRIMICIAS (2023a). "Dos provincias petroleras no apoyaron la consulta de Yasuní", 22 de agosto 2023. Available at: <https://www.primicias.ec/noticias/economia/orellana-sucumbios-consulta-itt-yasuni/>.

PRIMICIAS (2023b). "Yasuní: El presidente Lasso dice que aplicar la consulta es 'suicida'", 7 de septiembre 2023. Available at: <https://www.primicias.ec/noticias/politica/presidente-lasso-aplicacion-consulta-yasuni/>.

REDFORD, Kent (1991). "The Ecologically Noble Savage". *Cultural Survival Quarterly*, Vol. 9, N.° 1, pp. 46–48.

RIOFRANCOS, Thea (2020). *Resource Radicals: From Petro-Nationalism to Post-Extractivism in Ecuador,* Duke University Press.

RIVAL, Laura (2010). "Ecuador's Yasuní-ITT Initiative: The Old and New Values of Petroleum", in *Ecological Economics*, Vol. 70, N.° 2, pp. 358–65. Available at: <https://doi.org/10.1016/j.ecolecon.2010.09.007>.

RODRIGUEZ, Iokiñe (2020). "Latin American decolonial environmental justice", in COOLSAET, Brendan (ed.), *Environmental Justice: Key Issues*, Routledge, pp. 78-93.

SALVADOR, Luis, VILLALBA, Mateo & LARREA, Carlos (2024). "Propuestas Económicas Para Dejar De Explotar El Yasuní ITT". Available at: <https://www.yasunidos.org/propuestas-economicas-para-dejar-de-explotar-el-yasuni-itt/>.

SÁNCHEZ, Francisco & POLGA-HECIMOVICH, John (2019). "The tools of institutional change under post-neoliberalism: Rafael Correa's Ecuador", in *Journal of Latin American Studies*, Vol. 51, pp. 379-408.

SAWYER, Susanna (2004). *Crude chronicles: Indigenous politics, multinational oil, and neoliberalism in Ecuador*, Duke University Press.

SAWYER, Suzana & OFRIAS, Lindsay (2022). "Oil, Law, Temporality and Indigenous Rights", in DANNREUTHER, Ronald y OSTROWSKI, Wojciech (eds.), *Handbook on Oil and International Relations*, Edward Elgar Publishing, pp. 223–41.

SCHAVELZON, Salvador (2015). *Plurinacionalidad y vivir bien/buen vivir: Dos conceptos leídos desde Bolivia y Ecuador post-constituyentes*, CLACSO. Available at: <https://doi.org/10.2307/j.ctvtxw3vx>.

SCHWAB, Julia (2023a). "La lucha continua: A presentist lens on Social Protest in Ecuador". *Social Inclusion*, Vol. 11, N.° 2, pp. 198-211. Available at: <https://doi.org/10.17645/si.v11i2.6496>.

SCHWAB, Julia (2023b). "Temporalities in Friction: Planning and Temporal Violence in the Ecuadorian Amazon", in *FIGEMPA: Investigación y Desarrollo*, Vol. 16, N.° 2, pp. 106-129.

SCHWAB, Julia & COMBARIZA Diaz, Nadia Catalina (2024). “La Planificación En Tiempos De Crisis Climática: Consolidación Del Modelo De Desarrollo Extractivista En La Amazonía Ecuatoriana”, in LÓPEZ, María & GARCÍA, Fernando (eds.), *La Amazonía andina en el siglo XXI: Neoextractivismos, fronteras y resistencias*, CLACSO; CALAS, pp. 215–244.

SCHWAB, Julia (2025). *Assembling (Post)Oil Futures: Ambivalence, Oil Extraction, and Autonomy in the Ecuadorian Amazon and Beyond*, PhD thesis (submitted), University of Giessen, Giessen.

TEMPER, Leah (2018). “Blocking pipelines, unsettling environmental justice: from rights of nature to responsibility to territory”, in *Local Environment*, pp. 1-19, Available at: <https://doi.org/10.1080/13549839.2018.1536698>.

TEMPER, Leah & MARTINEZ-ALIER, Joan (2013). “Conclusion: Paths to a Post-Oil Civilisation: From Ogonisation to Yasunization”, in EJOLT (ed.), *Towards a Post-Oil Civilization: Yasunization and Other Initiatives to Leave Fossil Fuels in the Soil*, pp. 170–184.

THE GUARDIAN (2023). “Ecuadorians vote to halt oil drilling in biodiverse Amazonian national park”, Collyns, Dan, 21 de agosto 2023. Available at: <https://www.theguardian.com/world/2023/aug/21/ecuador-votes-to-halt-oil-drilling-in-amazonian-biodiversity-hotspot>.

TSING, Anna (2005). *Friction: An Ethnography of Global Connection*, Princeton University Press.

TUCK, Eve & YANG, Wayne (2012). “Decolonization Is Not a Metaphor”, in *Decolonization*, Vol. 1, N.° 1. Available at: <https://jps.library.utoronto.ca/index.php/des/article/view/18630>.

TYM, Christian (2023). “The Myth of Counter-modern Ontologies: Indigenous People and the Modern Politics of Extractivism in Ecuador”, in *Development and Change*, Vol. 54, N.° 4, pp. 714-738.

ULLOA, Astrid (2017). “Perspectives of Environmental Justice from Indigenous Peoples in Latin America: A Relational Indigenous Environmental Justice”, in *Environmental Justice*, Vol. 10, N.° 6, pp. 175-180. Available at: <https://doi.org/10.1089/env.2017.0017>.

VALLADARES, Carolina & HOGENBOOM, Barbara (2024). “Latin America, Ecuador and Social Mobilisation for LFFU”, in GUPTA, Joyeeta, HOGENBOOM, Barbara, REMPEL, Arthur & OLOFSSON, Malin (eds.), *Leaving Fossil Fuels Underground: Actors, Arguments and Approaches in the Global South and Global North*, Amsterdam University Press, pp. 109–131.

VALLEJO, Ivette, DUHALDE, Corinne & VALDIVIESO, Natalia (2016). “Relaciones contemporáneas Estado-organizaciones indígenas amazónicas en Ecuador: entre alianzas, oposición y resistencia”, in CORREA, François, ERIKSON, Philippe, & SURRALLÉS, Alexandre (eds.), *Política y poder en la Amazonía: Estrategias de los pueblos indígenas en los nuevos escenarios de los países andinos*, Universidad Nacional de Colombia, pp. 36-67.

VALLEJO, Maria, BURBANO, Rafael, FALCONI, Fander & LARREA, Carlos (2015). “Leaving Oil Underground in Ecuador: The Yasuní-ITT Initiative from a Multi-Criteria Perspective”, in *Ecological Economics*, Vol. 109, pp. 175–85. Available at: <https://doi.org/10.1016/j.ecolecon.2014.11.013>.

VAREA, Anamaría, BARRERA, Carmen, MALDONADO, Ana María, ENDARA, Lourdes & REAL, Byron (1997). *Ecologismo ecuatorial: conflictos socioambientales y movimiento ecologista en el Ecuador,* Abya Yala, CEDEP.

VAUGHN, Jacqueline (2007). *Conflicts over Natural Resources: A Reference Handbook. Contemporary World Issues*, ABC-CLIO.

WALDMÜLLER, Johannes M. & ALTMANN, Philipp (2018). "Introducción", in WALDMÜLLER, Johannes M. & ALTMANN, Philipp (eds.), *Territorialidades otras: Visiones alternativas de la tierra y del territorio desde Ecuador*, Universidad Andina Simón Bolívar/Ediciones La Tierra, pp. 7-44.

WHEATLEY, Natasha (2020). "Legal Pluralism as Temporal Pluralism: Historical Rights, Legal Vitalism, and Non-Synchronous Sovereignty", in EDELSTEIN, Dan, GEROULANOS, Stefanos & WHEATLEY, Natasha (eds.), *Power and Time: Temporalities in Conflict and the Making of History*, University of Chicago Press, pp. 53-79.

WILSON, Japhy (2023). *Extractivism and Universality: Inside and Uprising in the Amazon*, Routledge.

WILSON, Japhy & BAYÓN, Manuel (2017). *La Selva De Los Elefantes Blancos*, Abya Yala.

YÁNEZ, Ivonne (2013). "Financing Alternatives Proposed by Civil Society, Aimed at the Non-Exploitation of Fossil Fuel Reserves", in EJOLT (ed.), *Towards a Post-Oil Civilization: Yasunization and Other Initiatives to Leave Fossil Fuels in the Soil*, pp. 158–169.

YASunidos (n.d.). "Argumentos". Available at: <www.yasunidos.org>.