

## Serious Challenges Remain for Nicaraguan Indigenous Land Ownership:

A report from the March 2014 Nicaragua Network delegation to the North Caribbean Autonomous Region

By Helen Jaccard (Jaccard is Chair of War and Environmental Working Group of Veterans For Peace. Her blog from the Nicaragua delegation can be read at: [http://mobileactivist.blogspot.com/p/blog-page\\_2.html](http://mobileactivist.blogspot.com/p/blog-page_2.html))

We went to the North Atlantic Autonomous Region (RAAN) on Nicaragua's Caribbean Coast and northern interior, including the protected BOSAWAS bio-reserve, to learn about:

- Laws and problems with land rights, invasions and deforestation by non-indigenous people and the various indigenous reactions to these colonizers
- Indigenous plans for use and development of their territories
- Licenses and issues regarding extraction of timber, gold, and seafood
- Health, education, preservation of language and culture
- We visited Bilwi (Puerto Cabezas), Rosita, and Bonanza as well as the Bosawas Nature Reserve. We met with the Miskitu Council of Elders and the Wihta Tara. We also met with three Mayangna Indigenous Territorial Governments, that of the Mayangna Tuahka, the Mayangna Matumbak, and the Mayangna Sauni As as well as with government officials and non-governmental organizations

**See Appendix A for a list of the members of the delegation and Appendix B for a list of the people and organizations we met with.**



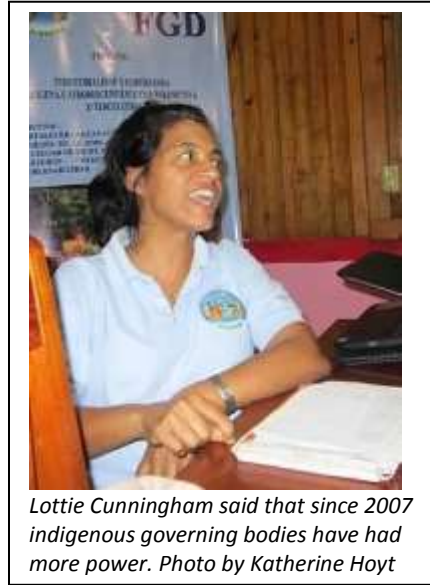
*Delegation arrives in Bilwi, Puerto Cabezas on La Costeña Airlines. Photo: Helen Jaccard who is missing from photo*

### **Recent History and Laws to preserve Indigenous Rights in Nicaragua**

The North and South Atlantic Autonomous Regions (RAAN and RAAS), prior to 1894 were a British Protectorate. The indigenous people were never subjugated by the English, Spanish, or Nicaraguans. [The recent amendments to the Nicaraguan Constitution changed the word Atlantic to Caribbean for both autonomous regions. However, at the time we were in Nicaragua, the people we met with had not made the change so I use the abbreviation RAAN here.]

The Sandinista Revolutionary Government, after the 1979 triumph over the Somoza dictatorship, made many mistakes in their dealings with the Miskito and other indigenous people of the Caribbean. A Miskito guerilla army rose up and fought alongside the US-trained Contras as a result. Peace was negotiated in 1985 but the National government is still not popular on the Atlantic side of the country.

In 1987, the revolutionary government adopted the most far-reaching autonomy law in the world and enshrined the concept and structures of indigenous self government in its Constitution. However, the Miskito people, including those in parts of Honduras have declared their independence multiple times from the nations which claim them.



*Lottie Cunningham said that since 2007 indigenous governing bodies have had more power. Photo by Katherine Hoyt*

The autonomy law was largely ignored during the 17 years of neoliberal governments following the Sandinista electoral defeat of 1990.

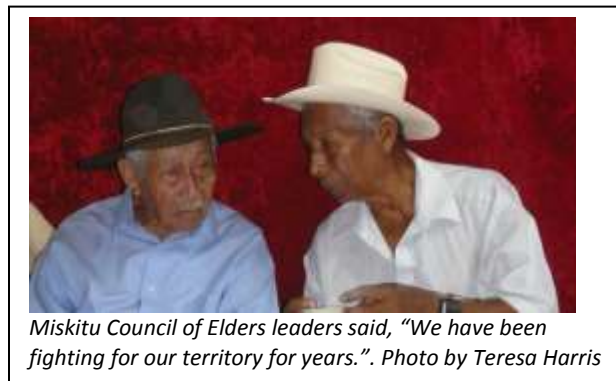
According to Lottie Cunningham, Chair of the nonprofit Center for Justice and Human Rights on the Atlantic Coast (CEJUHCAN), “The Inter-American Court on Human Rights (IACHR) heard our case regarding concessions of lumber logging rights to a Korean company that were to last 30 – 60 years. This would have severe impact on our peoples. In 2001, in Costa Rica, the court decided that Nicaragua violated collective land rights of indigenous people.”

She said that, since 2007, when the revolutionary government of Daniel Ortega resumed rule, indigenous governing bodies have had more power and resources and thousands of acres of their traditional land have been legally titled to them with communal titles.

Misunderstandings, latent racism, resource extraction, and indigenous land invasions by mestizo peasant farmers and ranchers continue to erode indigenous land and culture, however, she explained.

#### **Visits with the Miskitu Council of Elders and the Wihta Tara**

At our first meeting in Bilwi, Puerto Cabezas, Charley Delaney, on behalf of his chief and his Abanaki Tribe, read a message of solidarity with the Miskitu people and gave them the document. Delaney had visited before and three of the elders are friends of his. The Elders thanked all of us who came and those who didn't come. The President of the Elders said, “I want to speak about our territory. We have been fighting for our territory for many years. In the beginning we didn't have good leaders or good international relations. We sent a representative to the UN. We don't have a relationship with our government – they do not recognize us! We have been exploited for gold and fish. No one supports us.” He went on to say, “We have treaties within reach and are trying to figure out which is best. We have titles from the time of our kings. The land belongs to us. Before Central American independence, Miskitia was recognized as a nation, but it is not recognized by the nation of Nicaragua. We as a peaceful nation are not in accord with the land demarcation.”



*Miskitu Council of Elders leaders said, “We have been fighting for our territory for years.”. Photo by Teresa Harris*

The Miskitu elders told us that they do not have the right to export their own resources, negotiate directly with companies, or obtain income directly from the extraction licenses or profits from the exports. They told us that they do not want the Yatama political party to claim that it represents them, because it does not. One of the members of the Council of Elders said, “We have petroleum and gold, but we cannot sell them ourselves because of the government monopoly – that is why we are poor.” And, “We need to be able to sell our products in the international market in order to have a true economy.”

The regional government and its Environmental Agency (SERENA) are not recognized by the Miskitu people we talked to – they see them as instruments of the Nicaraguan government of Managua, dividing people and taking their resources, including money through concessions. The Miskitu said that SERENA gives out licenses for mining, fishing and logging without consulting the indigenous, even though SERENA says they do. The issuing of concessions also involves building roads which destroys forest and allows travel by vehicle. We were told that some of the licensees are forcing people off of the land and burning their crops.

One Miskitu elder said, “We need to get our proposals to the UN forum, possibly by means of you. I’ve been to Geneva and know this UN process, but our people don’t.” Another asked if we could help them get their message to the UN. “There is a UN meeting in the US in September in New York,” he said, “We would like to be there.”



*The Wihta Tara said that Nicaragua’s laws only appear to give rights to the indigenous. Photo by Teresa Harris*

Charley Delaney said that he had tried to contact United Nations Special Rapporteur on the Rights of Indigenous Peoples James Anaya last year but Mr. Anaya did not respond. Delaney said, “We have sent documents to the Nicaragua central government and the UN but did not get replies.”

We also met with the office of the Wihta Tara, formerly an executive for the Council of Elders but which has broken with the Elders. One of the leaders there told us, “There are Nicaraguan laws that appear to give rights to indigenous, however, they pretend – they were passed in Managua without our input and consent. They are just babbling, not really doing what they say they will.

The Wihta Tara and the Congress we have organized for April will resolve the status with Nicaragua.” “We must take things into our own hands,” he continued. “There are threats to our land and culture and a lack of intervention from the Nicaraguan state. We will never renounce the rights to this land.”

He explained that the congress they have organized is not supported by the Council of Elders, and said, “There will be a Congress April 20 – 23 in Bilwi, where representatives from the six tribes will meet to pass laws based on traditional laws of our peoples. Then this group and laws will tell us how to confront the invaders. Article 180 of the Constitution of Nicaragua says indigenous people have the right to resources and make laws and elect leaders. Our customs have not yet been translated into laws. Now THIS Congress and Senators are going to write these laws and take them to Managua and ask that they be respected.”

## **BOSAWAS**

The Bosawas is a huge bio-reserve about the size of El Salvador which is the biggest bio-reserve in Central America. There are indigenous people who have permission to be there, but invasion and deforestation have reached this

precious resource, a rainforest where immense bio-diversity exists. In the buffer zone around the BOSAWAS a little more development or agriculture is allowed. There are areas where people are panning for gold in the BOSAWAS, but not mines.

BOSAWAS is an acronym for three natural resources within the reserve – the Bocay River, the Saslaya Mountain, and the Waspuk River, all of which are Mayangna names.

Victor Campos of the Humboldt Center in Managua told us that the BOSAWAS buffer zone includes parts of RAAN, Jinotega and Nueva Segovia. In the area encompassing the nucleus and buffer zone, 67% was forest in 1987. In 1999, it was 63% and in 2005 had dropped to 54%. It is expected that much more had been lost by 2010 and by 2035 it is predicted that there will be only 33%.

A leader of the indigenous Tuahka said, “In the Bosawas there are more than 200 species of animals, 200 species of plants, and thousands of species of insects. Thirteen percent of known tropical species live there.”



*The Bosawas is a UNESCO recognized Biosphere Reserve. The dark green area is the nucleus of the reserve while the forest green is the buffer zone.*

### **Our visit to the BOSAWAS reserve**

We traveled from Rosita to the BOSAWAS and a small Mayangna Sauni As indigenous village. The road that we drove is impassible June through December during the rainy season. It provides entry to 1600 sq km of land, including 16 communities and 12,000 Mayangna Sauni As people.

We were with our Miskitu lawyer guide, Jezza Mendoza and Richard, who speaks some Mayangna, the only indigenous language spoken here. After a very bumpy van ride, we arrived at the end of the road. We clumsily waded across two sections of a stream. There were a few cattle on both sides and in the stream. As we crossed, we saw crabs, tadpoles, lots of butterflies, and big red dragonflies. It was hot and the water looked and felt inviting. We climbed a steep hill and arrived at the village. There were no fences, so children, pigs, dogs, chickens, and other animals wandered at will. The school was built in 2005 and classes were bilingual, Spanish and Mayangna. There was a 100-year-old church and about 30 homes. People used horses for transportation to the next village, a several-hour trip.



*In the Bosawas there are thousands of species of animals. Photo: Katherine Hoyt*

After a short walk through the village, we arrived at the BOSAWAS forest, which was beautiful, with trails to the small areas where the villagers grew their corn and beans. Ricardo and Jezza showed us many interesting things along the way, including the Mulu plant, which reduces the length of labor and the pain of childbirth. It's also useful for washing hair. One tree is good to help heal broken bones. We heard cicadas and song birds. In the forest nearby there are mountain lions, jaguars, and ocelots. The alligators and iguana were out and about (although we didn't see any) and used for food by the indigenous but they don't sell them.

Retracing our steps, we went back down to the stream and several of us had a nice long swim!

Three truck loads of people and some horses were coming out of the forest at the same time we were. It turned out that the Mayangna Sauni As Indigenous Territorial Government had just come from an excursion to burn the houses and crops of several of the invaders. We met with that group the next day.

### **Invasion and Deforestation**

Every indigenous group we met with has experienced a massive invasion from all sides, starting slowly decades ago and increasing with time. There are now almost as many mestizo campesinos on indigenous land as there are indigenous. The Mestizos are even talking about marking out their own territory in the indigenous area. More come every day, clearing the forest as they go, using the land for pasture, crops and more cattle than the land can support. Some use or sell the wood, others simply burn it. Not only is the land deforested, but the cattle further damage the land and pollute the rivers. A Tuahka man said, "Big cattle herds are not our tradition, at least not as large as the campesinos have, but these cattle are invading the indigenous lands. The cattle destroy the soil – they have a huge environmental impact. Sometimes this forces indigenous people to move into the cities. The campesinos are planting huge areas with grass and selling the cattle to the Pacific side of Nicaragua. The change in the use of the soil is ruining it."

"There are big land grabbers who illegally clear cut the forest, mark and sell plots, and move on. Their business plan is to ready the land for cattle ranches. They get more money if it's cleared."

The Tuahka man continued, "In 2013 seven leaders of the land grabbers were captured and two are in jail. We captured a man named Aragon yesterday. Two of the leaders will be sentenced tomorrow. Sixteen more have been captured. The National Police and the Army capture them. For the last two years the Army has been effective, not so much the National Police."

On our drive through the buffer zone, we noticed at least twelve logging trucks filled with huge logs, stacks of logs in fields, and lumber mills. Clear cuts and roads were frequent sights. Along the road was a continuous stream of



*Mayangna Sauni As power point photo of logging operations in their territory. Photo by Teresa Harris*

ranches. We saw people clearing and burning what little forest remains. We also saw children selling iguanas.

A Mayangna Sauni Arungka Matumbak singer told us, "I, as a singer, went into the BOSAWAS and saw where it was deforested, with no tigers, no peccaries, because of mestizos who are invading our territories."

The Mayangna Sauni Arungka Matumbak technician said, "Massive invasions started in about 2000, although there was some starting in the 1990s. Now there are about 1500 colonizing families with 8000 people in our territory."

A Tuahka community leader said, "There are over 2000 loggers taking precious woods, some illegal, but the state gives some of them

permission." It was easy to confirm these stories from the air. From Bonanza to Managua you can see very few large areas of forest and the further along you go the fewer trees, until it is all vast areas of grass, brush and lines of short trees and brush along the creeks. Much of the area is brown or gray, with dead grass and naked dirt.

#### **Law 445 and cleansing the land of non-indigenous people**

Victor Campos of the Humboldt Center told us, "Law 445 [officially named the Communal Property Regime Law for the Indigenous Peoples and Ethnic Communities of the Autonomous Regions of the Atlantic Coast of 2002] says that the indigenous territories belong to the communities, not to individuals. Families have permission for the use of the land but cannot sell the land because it belongs to the larger community. We now recognize that the lands have always belonged to the people. We are authenticating it and titling it."

The process specified in Law 445 has 5 steps:

1. Identify areas where people have a common language, history, culture, and names for places and submit an application to the titling commission
2. Where these areas overlap, come to agreement about the boundary
3. With the help of the Commission, create maps and mark the borders of the territories for each group
4. Give title for the land to the community as a whole, not to individuals
5. Cleanse the land (*saneamiento*) of non-indigenous people and companies

Campos said that the titling all the way through step four is 80 – 90% complete. "This is a remarkable accomplishment," he said. All of the areas we visited had the titles to their land and were trying to figure out how to stop the invasion and cleanse the land of the invaders.

The problem that is causing the most trouble for the tribes is the final phase of Law 445, the *saneamiento*, or cleansing the land of non-indigenous colonizers.

There are seven titled territories in the BOSAWAS. The only group we met with who live in the BOSAWAS is the Mayangna Sauni As. Their territory was one of the first ones titled (in 2006), covering 100,632 manzanas (1.7 acres per manzana) with a 197 km border and 18 communities, mostly along the rivers. Forty percent of their land is

outside the BOSAWAS nucleus, in the buffer zone. The rest is in the BOSAWAS and they are aggressively trying to get rid of the invaders who come and destroy the forest. Armed with an eviction order, and the Ecological-Battalion of the Nicaragua Army and local police for protection, they have knocked down houses and arrested illegal land brokers – some have been sentenced to 10 years in jail. In recent weeks, they have started burning the houses and crops of the invading colonizers.

The Ecological Battalion of the Nicaraguan Army told us, “The most important part is to arrest those who are selling land. For example, Tomas Lopez Lopez puts some people on the land, then re-sells that land for an even higher price and moves the first group deeper. He is about to go to trial for one count of murder because someone saw how this scheme worked and was going to report him, and he was murdered. Tomas Lopez Lopez was arrested on Feb 24, 2014, for not just murder, but land trafficking, usurping the land, and intimidating people – he will probably get a long sentence.” There are at least six king-pins in custody in the Rosita – Bonanza area, we were told.

Norman Devis of the Sauni As told us, “We were few, without logistical resources.” At the end of one excursion, they were wondering where the invaders had come in from. “We followed a trail and found a family, three horses and a house where 10 manzanas had been logged. A representative of the Army provided security. The colonizer family was provided with information about their threats to the environment and the BOSAWAS, which MARENA had compiled. We told them to take everything out of the house, load the animals, and leave. We burned that house and explained that this is private indigenous property, 14 km into Mayangna Sauni As territory.

“We went on to see the other places. We went one hour up the Pis Pis River, 12 km in, and found the house we were looking for – a property with 15 manzanas logged. We burned that house, too. The role of the army is



protection. WE burned the houses. The invaders accused the army of abusing them, so WE must be the ones to burn the houses. We found animal skins – tapir and other endangered animals. We took pictures and have it on video. We need to act quickly in all of this. We are planning an invasion ourselves of this area to take all of those people out of there – if we don’t do it today, tomorrow is too late.” The evicted people go to Rosita or Bonanza to be prosecuted. “The biggest problem is east of the Waspuk River. The day before we went up there, eleven invading families went into the north part of that zone. We want to get these invaders off of the land and block the roads and trails they have built, and burn down the houses. If we don’t get in there NOW, they will chop down these huge

tropical rainforest trees. They have built structures and planted beans.”

Devis continued, “As we were returning, we found this horse and a house with a lady inside. She went to her sons at the river. Last year an indigenous miner, Ileas Charlie was killed with a .22 rifle where her house was. At that time, they were just cutting down trees and planting pasture – they used the skins of several tapirs to make ropes. I ordered her to take all of her things from the house and we burned the house in front of the family. The army was witness – that we told them to take their belongings back to where they came from, even their saddle and horses. We said that we would treat them humanely.

“Yesterday at 7 am we took off for another place in the mountains, to investigate a logging complaint from the community to the police. Without gas money to take the army and motor boat, we did two missions. We went into the mountains with the man and his son who filed the complaint. We found a trail to an area where 50 Mz had been logged with a chainsaw – they had planted tobacco and corn, and had a house. By 10 am we burned the house and the crops. These are the first operations of 2014. We hope to clear them out in 2014. This burning and removing will change only when the government finds out about it and starts doing its jobs.”

Most of the indigenous groups are not actually carrying out the *saneamiento* per se, but are studying who is there, when they came, and why they think they can be there. One indigenous group has recruited the campesinos (peasant farmers) in their area to help them protect the forest. Most are frustrated because the national government is supposed to help them – they will not wait much longer before taking the matter into their own hands in more violent ways.

The Tuahka people said, “We need resources to implement the plan now that the Nicaragua government has accomplished the first four of the five stages. In the meantime, the agricultural frontier has greatly advanced since the completion of stage four. We go to the government, but in order to stop the violence we must clear all of the settlers. The government says they don’t have the budget for that, but we don’t either. “

Rebecca Ismael Poveda, Vice President of the Indigenous Territorial Government of Tuahka said, “In some areas, our families can’t hunt, plant, or fish – what can we do? We’ll talk with Mestizo families. Fifty young people from Wasakin went out – and we decided to send territorial and regional (RAAN) government leaders. This was the first time we had gone to talk with mestizo families. There were some mestizo families that didn’t want to talk with us, but we explained about our rights. We asked them, “When did you come here? How did you get here? Who sold you this land?” We went with army and police to be safe and there was no violence. We found 573 mestizo families in the area occupying 55,000 hectares of our land. We won over the families and now they work with us and are collaborating with us.”

Poveda continued, “We found that there were 18 illegal land traffickers, and they did not want to collaborate with us. We have accused other mestizo people of land rights violations – they only get house arrest. We can’t seem to get rid of them or prosecute them. The local authorities and RAAN don’t give us help – they told us to get a lawyer – we don’t have money for one. In none of these 574 cases did someone say that a Mayangna sold them this land. We are NOT selling our land.”



*Charlie Delaney gives a letter of solidarity from the Abenaki People of Vermont to the president of the Mayangna Matumbak. Photo by Teresa Harris*

The Matumbak also have a plan and a budget for 2014. The Matumbak Territorial Government leaders laid out their plan and their budget for us with a PowerPoint presentation and an excel spreadsheet:

- \* Achieve saneamiento through a legal framework that will protect our people and recover forests, rivers, plants, and animals. The goal is for 50% of the colonizers to be cleared out in 2014. We have a budget of \$45,000 USD to get a register of all of the colonizers.

- \* Demand and make claims for our land and get a lawyer. This is budgeted at \$180,000 USD. We did most of our work without a lawyer, giving a negative result, so we need legal advice moving forward. Also, we need actions, lobbying, and coordination with other indigenous territories to have a greater impact

at higher levels. We need radio, TV, and written messages – to make our demands public.

- \* Clear trails along the boundaries of nine communities. We need 230 border markers and paths to connect them. A German organization is helping us with this.

The leaders said, “The colonizers who are allowed to stay will pay rent to the indigenous people. Regarding the *saneamiento* – there are government agencies that should help us – CIDT, MARENA, INAFOR, The Attorney General of the Republic, the Ecological Battalion, The Ministry of Agriculture and Forestry, SERENA, National Institute for Territorial Studies, Mayor’s offices, and RAAN.”

After hearing from the leaders we were served a delicious lunch of paca (*Cuculus paca*) and boiled green bananas by several of the Matumbak women, who spoke only Mayangna.

Lottie Cunningham of the non-profit indigenous human rights group (CEJUDHCAN) in Bilwi gave us some background, “We had a lot of invasions during the period of demarcation, coming from all parts of Nicaragua. We try to advise with a focus on human rights. The state must do its job. They [the colonizers] have impunity, and more invaders come. We need the state to help sanitize and mind the border. People and companies came in with and without permission. We need a census of people who do not belong – who gave you permission to be here, how much land, etc. Some of the poor people we might work with. The real problem is the agricultural frontier where there are cattle poisoning the water, people cutting the forest, and gold extraction.”

She went on, “We agreed among 23 territories to draft a mechanism to sanitize the territory. We need the state to agree and to accompany us. Decree 15 of 2003 would create a commission in defense of us – the state created one commission; but they are not responding, so we sent a demand to the Inter-American Human Rights Commission this year to periodically examine the situation – they recommended that the state comply. We must finish the fifth step.

“We need the government to approve and provide a big budget for the *saneamiento*.”

### **Concessions, Contamination, Corruption**

Another problem that we saw was “concessions”. Licenses to extract timber or gold are often being given without consulting with the indigenous governments– those who own the land and those downstream whose water will become unusable. The Nicaraguan and RAAN administrators take salaries from the government (and presumably bribes from the companies involved), the indigenous said.

HEMCO gold company is in Bonanza and it should not be, say the indigenous leaders. A Mayangna Matumbak leader said, “A river is now polluted by the HEMCO gold mining activities. Many years of cyanide have gone into the river. People have lung problems and bathing in the river causes severe itching. Even small creeks are contaminated.” A Mayangna Sauni As girl died May 6, 2013 of leukemia, a problem often caused by pollution from gold mines. Artisan miners who pan for gold contaminate the water with mercury. Melvin Miranda of the regional office of the Ministry of the Environment said, “Mining concessions are in the buffer zone of Bosawas but not the nucleus. However, there is the problem of contamination flowing from the mining areas into the nucleus area of the reserve. They mine gold, silver, and nickel.”



*Tailings pond left from a giant open pit gold mine near Bonanza. Photo by Teresa Harris*

On the drive to Wasakin, we passed a gold mine abandoned 30 years ago. People were panning for gold and swimming in the contaminated tailings pond.

### **Health, Women’s Issues**

We met with the Miskitu women’s organization, AMICA, in Bilwi. The leaders told us, “After the war [of the 1980s], many of our people were in Honduras – single mothers and others were coming home and needed help. We educate the people about laws that affect women and about our people. In about 1995 we started handling longer projects about women’s rights, family planning, sustainable tourism, and a rotating loan fund. We offer vocational training such as sewing, cooking, and baking. We also educate men about the broader rights of our people.

“We offer leadership training and training about laws and international treaties. We have Law 28 [the Atlantic Coast Autonomy Law of 1987] and 445 about land rights, the International Labor Organization Covenant 169 on Indigenous Rights, and Law 779 to prevent violence against women.”

However, during our delegation we noticed the lack of women in leadership positions. The men simply didn’t seem to care about the issue, although some said that women could be in leadership roles if they chose to. An AMICA representative said, “There is not much education or leadership for women, and NGOs never go there.





*Cristina, a Tuahka woman with a university degree, spoke forcefully at the delegation's meeting with leaders. Photo by Teresa Harris*

Associations and Governments say that things are getting better, but this is not necessarily true – there are great needs and no one is paying attention. It is lamentable, and we can't cover up the sun with one finger." In the Matumbak communities, women aren't included in meetings. "I want women to be invited. Men don't hurt us, but don't think we are important," one woman said.

They didn't want to talk about the abuse of children. The women at the meetings say it doesn't happen, but the AMICA president says yes, it happens. She hopes that in the future women will be welcome and can participate in government. Many girls are sexually abused, some as young as five years old. AMICA leaders said, "We achieved creation of special police stations for women and mothers of girls who have been raped or beaten. We educate judges about women's and children's rights. In 2013 we took care of 135 cases and the women's and children's police stations reported 3600 cases, including domestic and sexual violence." Rebecca Ismael Poveda of

the Tuahka confirmed this, "There is so much rape of girls starting at about age five. If a woman reports a rape (of herself or her daughter) she may fear to return to her community." AMICA tries to support the women and families if the father must be removed from the home. Sometimes though, the perpetrator just goes to another village.

Due to abuse, ignorance of family planning methods, wedding vows that include a vow of using no contraception, lack of contraception, machismo, and other factors, there a lot of teen and unwanted pregnancies and some very large families as a result. Jezza Mendoza added, "People are losing the knowledge of traditional medicine, including those for birth control. This implies a larger problem of loss of traditional education."

We learned that there is a minimum of health care, one clinic for each six to eight communities and a shortage of medicine. In the Bilwi hospital you may be in the emergency room a long time before you are seen by a doctor and there may not be enough money for the correct medicine or X-rays. The free health care and clinics are there, but there is a lack of resources and materials. The government is now providing treatment for HIV positive patients in polyclinics. There is also private testing and a shelter for HIV positive people.

Wasakin has a health center with a nurse but no medicine. Fruta de Pan Community has a small hospital with nine beds, one nurse, and no medicine. It serves five communities of both indigenous and non-indigenous peoples. In Betania there is one health center, but no nurse and no medicine.

And one Mayangna Sauni As woman said, "Many women die in childbirth, an indicator that our health care is bad. Even in Bonanza we can't get medicine. Given transportation problems, it is hard to get care. There are a lot of deaths in our territory. I did a study. Less than 5% of us are more than 60 years old! And now there are even fewer than when I did the study. Some women come to Bonanza to have children in the hospital – but they are sometimes sterilized without their permission, especially if they have a Cesarean birth. [Our lawyer-guide Jezza Mendoza said that they can be sued for that.] We would like to have doctors in Musawas who specialize in caring for women and children. We would like for them not to have to come into the city for medical care, because of costs of transportation, food, and housing for the family in that situation."

### **Education, Language and Culture**

At the Mayangna Sauni Arungka Matumbak community, on Rio Espaňolina we listened to music by Mayangna musician Alejandro Peralta in traditional dress – he sang about nature and the BOSAWAS reserve. He said, "Last month I went to the poetry festival in Granada where people were delighted to hear Mayangna music." He said, "There are no funds to improve the lives of artists and musicians but [I have two CDs – one of just me, and another of me with others](#). They have been on the radio and the internet." He showed us his jacket and hat made of the bark of the rubber tree, saying that the grandparents used this type of cloth. Peralta sang about the Tiwi tiwi, which is a little bird that stays along the river. "We speak Mayangna, Miskito and Spanish and are multi-cultural".

Later, a group of children did the Tiwi Tiwi dance for us. They were dressed in rubber tree bark pounded into cloth and made into traditional clothes.

Members of the Matumbak told us about education: “In the nine communities we have three primary and secondary schools. All are bilingual in Mayangna and Spanish. From the late-1980s children have studied in Mayangna – before that, the children were punished for not speaking Spanish. We have men and women teachers in primary schools where education is bilingual, but secondary schools are only in Spanish. Some of us are in universities, but this is at great cost to us. Now our children are learning Mayangna and the adults are learning Spanish. This helps them not be cheated in the cities and markets.” We asked, “Are there textbooks in Mayangna?” “Yes,” was the answer, “first through fourth grade, but not 5<sup>th</sup> or 6<sup>th</sup> grades yet. After Hurricane Felix, of 2007, we received some aid to get 5<sup>th</sup> and 6<sup>th</sup> grade texts. The texts we do have are old and need updating. The national government pays the salaries of our teachers. Schools need libraries and computers and school building maintenance.”

In Rosita municipality we were told that unemployment makes it hard for the children to even have a backpack and other things needed to improve education. “We have a primary school in Wasakin,” residents said, “but high school we have only on Saturday. The mestizos are in a different situation – they have good classes, in Spanish. We need you to get this information out about our case.”



*Alejandro Peralta said, “People at the Poetry Festival in Granada were delighted to hear Mayangna music.” Photo by Teresa Harris*

#### **Other issues: Honduras, Drug Trafficking, and Cattle theft**

Many indigenous don’t recognize the border with Honduras and see it as a problem. In the past, they would cross the Rio Coco at will – now they do not. This limits their options for feeding themselves, and now they don’t have enough space to plant nor food to eat.

Drug trafficking has made some of the areas unsafe, both by the traffickers and by the military and police who chase them. The eldest Miskitu elder said, “The youth are losing themselves as consumers of drugs and this destabilizes families. We are losing our culture rapidly.” Another Miskitu man said, “Drug traffickers put fear into people and they leave. In Honduras, their army is less powerful than the drug traffickers. The army of Honduras has many drug traffickers in it and the Honduran government can’t do anything.”

A Miskitu elder said, “Police want to come and serve in our area; there’s a competition to do those jobs, and there is a big difference in their homes between when they come and when they leave. There’s no reason why there should be drugs here, but police have low salaries and even on low salaries, their situation improves. They have motorcycles and other things that they can’t afford on their salaries. We believe they want to keep the people asleep.”

A member of the Mayangna Sauni As said that several of these land traffickers are cattle thieves and drug traffickers, too. They organize groups of armed men to steal cattle.

#### **Requests for Support**

Many of the indigenous groups we met with were looking for funding for projects, including help for the *saneamiento* itself, health care efforts, scholarships, etc. Others were looking for collaborators to spread the word in Managua and abroad about the urgent need to move the colonizers out and protect the rainforest.

For example, a Matumbak member told us, “We’ve done 20% of the registration [for the *saneamiento*] and only two of those families have titles from before the Autonomy Law [of 1987]. When we start charging rent, we will

need a lawyer. Our people need to get together to decide who can stay and what rental terms we would offer them. If we don't get results at the regional and national levels, we will ask for international help. Our main needs now are a cartographer and a lawyer.

A Tuahka member told us, "The national government has pensions for seniors, but we don't have that for indigenous here. Our Tuahka community would like to establish a relationship with a sister city or organization who could help us. Wasakin has more than 47,000 hectares of land but more than 520 colonizer families have come in spite of three legal documents: the Harrison-Altamirano Treaty of 1905, and the 1987 Autonomy Law, and Law 445. Having these documents, how does this happen? Can you take our concerns to another level? Wasakin has 2500 inhabitants and are confronting the problems of no nurse, no doctor, and no medicine. But that population needs health care – we want to explain that to an international public."

The Mayangna Sauni As said that they had been instrumental in capturing several big land brokers. A Sauni As leader told us, "To defend our land, we need the resources to pay lawyers. Forty percent of our land has been invaded. We need fast boats, motors, radios, GPS, and a headquarters for a biological control station (and park headquarters) with solar power and potable water. Our main problem is that the mestizo colonizers come and chop down our trees, especially in the BOSAWAS preserve. Help us get the word out and take our claims to the world outside."

### **Meetings in Managua**

Upon our return to Managua we had several further meetings. Margarita Antonio, a Miskitu historian and activist, provided a good summary of many of the issues we had heard about on the Caribbean Coast. She said that the five levels of government on the Coast often don't work well together. The five levels are: 1) national; 2) regional (the RAAN and the RAAS); 3) the municipal (Puerto Cabezas, Rosita, Bonanza, etc.); 4) Indigenous Territorial Governments (GTI) (including the Tuahka, Matumbak and Sauni As that we met with); and 5) the community organizations. She asked why the government passed the laws on indigenous land titling if they didn't intend to remove the colonizers? The answers, she said, are lack of political will and corruption.

She said that the Miskitu are organized differently than the Mayangna and that the Mayangna receive more funding from abroad because they are the custodians of the Bosawas Reserve. She explained that the indigenous



Maritza Centeno said, "We must recognize the other indigenous of Nicaragua."  
Photo Helen Jaccard.

were able to get autonomy and the titles to their land because of the Miskitu uprising in the 1980s. The Miskitu are divided now [between the Council of Elders and the Wihta Tara as we saw], she said, and that division means that they have no common position with which to confront the state. Because so many mestizos have moved into the region, she said, "I feel like I am in a foreign land." She said that more books are being published in Miskitu but the young people are speaking Spanish and losing their culture. She emphasized that the removal of colonizers from indigenous land still can happen, but "we have to insist on it."

We also met with Maritza Centeno from the Yakisa Sur community of the Matagalpa indigenous. She told us, "We must recognize the other (Pacific side) indigenous of Nicaragua. The Atlantic side was not colonized by the Spanish, but rather by the British. This meant that they did not lose their languages because the British didn't make them abandon their language, culture, or religion. The rest of Nicaragua at the time of the independence of Central America established Spanish as the language and forbade our religious ceremonies. The Catholic Church persecuted the women who performed our traditional ceremonies. State policies were adopted and laws were passed to

deprive the indigenous of their lands. The government said after independence that 50% of indigenous land must be administered by the government because they needed to rent the land to investors and use the money to educate the indigenous. But one year later, the government declared that the outsiders could buy the land. That's why many indigenous today don't have land, especially in Matagalpa."

## **Follow Up Actions**

At the end of our trip, we felt thankful for all the people who had made our time in Nicaragua so fruitful and informative, especially our guide on the Caribbean Coast, Jezzel Mendoza. We agreed that the most important of the issues we learned about was that of the colonizers on indigenous land, but that there were other problems as well, including illegal logging, mining concessions, lack of adequate health care, protection of women and children, and loss of traditional culture.

We wrote a press release which only one Nicaraguan media outlet picked up, the *Informe Pastran*. We were not able to meet with officials in Managua and we were unable to determine if that was because of scheduling problems or because they did not want to meet with us. Paulette Goudge promised to put up a blog about the delegation and I, Helen Jaccard, said I would turn my notes into a report. Teresa Harris said she would share her hundreds of photos.

We hope that by means of these efforts more people will learn about both the outstanding achievement of demarcation and titling of traditional indigenous land in Nicaragua and the serious problems remaining to be resolved.

## **Appendix A**

### **Delegation members**

- Jezzel Mendoza, our guide, a Miskitu and a lawyer
- Charley Delaney, chair of the board of the Alliance for Global Justice, a member of the Nulhegan-Coosuk tribe of the Abenaki Nation, who has represented the Nicaraguan Miskitu in the United States,
- Katherine Hoyt, co-director of the Nicaragua Network and the Alliance for Global Justice, who has worked in and for Nicaragua since the 1960s
- Susan Lagos originally from California, who, with her Nicaraguan husband, owns a farm in Dario, Nicaragua
- Carlos Maibeth-Mortimer, a Miskitu born in Bilwi but raised in the U.S. and a student of Nicaragua history and anthropology
- Shelly Scribner, member of the Modesto, California --Somoto, Nicaragua Sister City Project
- Helen Jaccard, Chair of War and Environment Working Group of Veterans For Peace
- Paulette Goudge, originally from the United Kingdom, founder of La Mariposa Spanish School and Eco-Hotel in Nicaragua
- Teresa Harris, social worker from the United Kingdom
- Paul Baker Hernandez, originally from the United Kingdom who has lived in Managua and helped with Nicaragua Network delegations for many years



*Delegation members in the Bosawas Reserve. Photo by Charlie Delaney.*

## **Appendix B**

### **People and organizations we met with:**

1. Victor Campos of the Humboldt Center, an environmental organization in Managua
2. The Miskitu Council of Elders in Bilwi

3. The Miskitu Wihta Tara in Bilwi
4. AMICA, a Miskitu advocacy group for women and children in Bilwi
5. Lottie Cunningham, Chair of the nonprofit Center for Justice and Human Rights on the Atlantic Coast (CEJUDHCAN), in Bilwi
6. Melvin Miranda, of RAAN Ministry of Environment (SERENA), in Bilwi
7. Tuahka Indigenous Territorial Government (GTI) in Rosita (the Tuahka are a mixed group of Mayangna, Miskito, and Panamahka people)
8. Mayangna Matumbak Indigenous Territorial Government, between Rosita and Bonanza
9. Mayangna Sauni As Indigenous Territorial Government, in Bonanza
10. Ecological-Battalion of the Nicaraguan Army in Bonanza
11. Margarita Antonio, a Miskitu indigenous rights activist and historian from Bilwi
12. Young Environmentalists organization in Managua
13. Maritza Centeno from the Yasika Sur indigenous community of Matagalpa