

# Invasion and Displacement: The Struggle of Indigenous Communities

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“For Indigenous peoples, the land is their life. Now they cannot access traditional medicine, food, or areas that used to be sanctuaries,” says a community member.

“Miguel,” who will be referred to as such to preserve his identity, is a community member in Mayangna Indigenous territories on the Northern Caribbean Coast of Nicaragua and, in the last decade, has seen at least six neighboring Indigenous communities disappear due to the invasion of settlers.

“Where the temples used to be, now they are [animal] enclosures,” says Miguel, noting that the situation is similar in Miskito, Rama, Mayangna and Afro-descendant communities.

Miguel reports that when the community members lose their lands due to the invasion of settlers, they abandon their homes to look for new places to work in any trade.

“Many go to work in the coffee and tobacco farms; some go to Managua and others go to Costa Rica. Many times you find the houses closed in the communities because the people are no longer there,” he said in statements to LA PRENSA.

The Autonomous Regions of the Northern and Southern Caribbean of Nicaragua are multi-ethnic and there are several ethnic groups, including: Miskito, Sumu/Mayangnas, Rama and Afro-descendants (Creoles and Garífunas). The Indigenous peoples enjoyed de facto autonomy until their annexation to the State of Nicaragua in 1905, without being part of any negotiations.

## Food shortages

“Juwith,” another Mayangna Indigenous community member who spoke to this newspaper under condition of anonymity, points out that, due to the loss of land, once settlers take over extensive territories to turn them into [animal] enclosures, they face a situation of food shortage.

“For Indigenous peoples, the land is their life. Now they cannot access traditional medicine, food, not even areas that were sanctuaries and where one lived in harmony and spirituality,” he says.

Juwith mentions that, when addressing these issues, “there are many feelings that come to the surface”, because, like Miguel, Juwith has seen how several communities have ceased to exist due to the invasions. “The increase in the population of settlers has been overtaking us,” Juwith says.

The community member gives the community of Sansawás as an example, which now has another name: “La Unión” or “Nueva Jerusalén”, put there by settlers. Juwith is also less optimistic than Miguel and says that, in neighboring territories, at least 180 Indigenous communities have disappeared in the last six years.

## **State did not conclude demarcation**

On August 31, 2001, the Inter-American Court of Human Rights (IACHR), in the verdict of the “*Awás Tingni versus Nicaragua*” case, recognized that the Nicaraguan State violated the rights of the members of the Indigenous community by granting a logging concession on their land, and imposed on Nicaragua the obligation to demarcate and title the territory of the Indigenous communities.

As a result of this judgment, Nicaragua approved the “Communal Property Regime Law”, Law 445. According to the Center for Justice and International Law, between 2007 and 2016, 23 territories were demarcated, which benefitted 304 Indigenous and Afro-descendant communities. However, this process did not continue, and communities in non-demarcated territories disappeared more quickly.

The suspension, in 2014, of the stage of restructuring [of the demarcation process] of Indigenous territories established by Law 445 incentivized settler migration. Article 45 of Law 445 establishes five stages of demarcation in Indigenous territories: submission of a request for titling, conflict resolution, measurement and demarcation, titling and restructuring. This last stage consists of handing over lands belonging to Indigenous people and held by non-Indigenous people.

## **2015: the year in which the occupation intensified**

Since 2009, movements of people coming from the Pacific region of the country increased, especially in the Miskitu territories of the border region of Río Coco, and intensified in 2015, when cattle ranchers and landowners also invaded, according to a report by the Group of Experts on Human Rights on Nicaragua (GHREN).

The GHREN noted in a report published in 2024 that a study conducted in 2012 in the Amasu Indigenous territory (*Awastingni Mayangnina Sauni Úmani*) detailed that the occupation was advancing rapidly, affecting 91% of the territory.

The report states that, in general, the occupants of this territory are families of limited resources who entered in search of alternatives and that, although they know they are in Indigenous territories, feel supported in their actions by the the Councils of Citizen Power (CPC) and the Sandinista Leadership Councils (CLS).

“Although the invasion of settlers began in 2000, as of 2015, the situation became unsustainable,” said an Indigenous person who preferred not to identify themselves for fear of reprisals.

## **Attacks between 2020 and 2021**

Since then, notorious massacres have been recorded, such as Alal in 2020 and Kiwakumbaih in 2021. On March 11, 2023, a massacre was recorded in the Mayangna community of Wilu, in which settlers killed at least six Indigenous people and seriously injured others. This invasion caused the displacement of several families in the Mayangna Sauni As territory of the Northern Caribbean. The settlers also burned several homes.

“The territories with the most invasion are Tasba Raya, Wilu, Polo Paiwas; a community in the Li Aubra territory was totally destroyed in 2015, houses burned and the population remains displaced in other communities,” says an Indigenous person, adding that the Alto Wangki and Prinzapolka territories have also been victims. “At least four out of ten displaced Indigenous people in Costa Rica come from these territories,” noted ‘Walpa,’ a Mayangna community member.

GHREN points out that impunity in cases of violence represents a further incentive for settlers to invade titled lands.

## **The ravages of displacement**

Once displaced, many Indigenous families face extremely precarious living conditions. Women face abuse and exploitation, while men try to survive in low-paying jobs. Children, for their part, lose access to education and suffer the traumas of this situation, “Miguel” recounts.

“In some cases, displacement means the total loss of cultural identity. Indigenous communities, when uprooted from their lands, lose their roots in nature and their worldview, essential elements of their spiritual life. This generates a fracture in their way of life, causing a profound uprooting and a loss of ancestral values,” he says.

In addition, according to reports from community members to LA PRENSA, many leaders have been victims of violence, while others have had to leave their territories out of fear.

## **Insecurity**

However, communities invaded by settlers who do not move suffer uncertainty and insecurity.

“Living with a settler nearby causes a lot of insecurity. Many times they get drunk, take out their gun and start shooting,” Juwith points out.

Nonetheless, he stressed that many times, settler invasions occur with the help of community leaders who receive money from the invaders in exchange for land.

## **Documents are granted**

On the other hand, the Group of Experts on Human Rights on Nicaragua (GHREN) points out that, in 2017, a survey of 359 settler families established in the deforested area of Bosawas revealed that only 20% had land titles, while 60% had other informal documents of land rights assignment or private instruments of possession. Another 20% had no title at all.

However, the Law of the Communal Property Regime of the Indigenous Peoples and ethnic communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and of the Bocay, Coco, Indio Maíz rivers establishes that communal lands cannot be sold or transferred; they can only be leased for use, without the lease being transferable.

“Sometimes, when the Indigenous people claim their land, they resort to lawyers who in the end negotiate and make a pact with the settler,” Juwith said.

GHREN also highlights that, in 2016, the regime documented the presence of 80 settler families in the community of Wisconsin. At this site, five families first arrived and then subleased to 75 others, occupying 23,255 hectares.

GHREN notes in its report that documents and interviews show that many settlers are former demobilized military personnel and ex-combatants. They were promised land and work by the state during the demobilization process or as a reward for serving the country during the 1980s conflict.

“It is essential that the State assumes its responsibility and that all sectors of society understand the importance of respecting these rights. The future of Nicaragua depends on finding just and sustainable solutions that benefit all the country's inhabitants, without compromising the rights of the most vulnerable communities,” concludes a community member.