

# RACISM AND ETHNIC DISCRIMINATION IN NICARAGUA

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## 1. INTRODUCTION

“Back in 1950s, my mother used to tell us that we couldn’t speak in Mayangna out loud, because people would call us ‘el sumito,’ ‘el indito.’ If we thought and spoke as Mayangnas, we could be locked up (that is what she told us). But now with the struggle of Indigenous Peoples, now with publications about Indigenous Peoples, we can speak in public in our language. We now confront, however, new threats: we can lose our identity, losing our land, our traditional medicines with the introduction of transformed seeds, and the imposition of another identity.”<sup>1</sup>

This comment by one of the subjects interviewed reveals the continuation of expressions of discrimination in the daily life of Indigenous communities in the Caribbean Coast region of Nicaragua.

Racism is the ideology that sustains ethnic domination, based on the belief that the inequalities between ethnic groups are normal and natural rather than the result of an unjust structuring of society. Throughout history, people have used a variety of biological, religious, and cultural arguments to justify racism, and to call other groups backward and incapacitated by their race. For example, in Nicaraguan legislation just a century ago, the inhabitants of the Autonomous Regions were defined as savages, and “hispanization” was promoted to “civilize” them.

Racism is a phenomenon that throughout the processes of colonization and formation of nation-states, has served as the ideological basis to withhold the rights of Indigenous Peoples and Afro-Caribbean communities, at the same time that the states pretended to integrate those Peoples by the force of new forms of social organization. Through the application of discriminatory policies, states have taken away and continue to take away the territories, natural resources, political and administrative systems, their knowledge, beliefs, values and languages of Indigenous and Afro-Caribbean peoples. The dominant development models that have been imposed and legitimized by states have been based on the lack of recognition for and abuse of the individual and collective rights of these Peoples.

The racist belief that ethnic, cultural, and biological differences should imply social and political inferiority is expressed in terms of discrimination, depriving people of their human rights—which are by definition universal, inherent, and everlasting. In the case of Indigenous Peoples and Afro-descendent groups in Nicaragua, it also results in the denial of their collective rights. Discrimination is the act through which one social group is deprived of the rights that are enjoyed by other groups.<sup>2</sup> Ethnic and racial discrimination have been classified as legal, interpersonal, institutional, structural, and oral.<sup>3</sup>

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<sup>1</sup> Interview, Helen Gómez, October 2006.

<sup>2</sup> The International Convention on the Elimination of All Forms of Racial Discrimination, which was adopted by the UN General Assembly in 1965 and came into force in 1969, defines racial discrimination in Article. 1 as all distinction, exclusion, restriction, or preference based on reasons of race, color, lineage, or national or ethnic origin, that has as an object or result the

Particular sectors of the population that are considered inferior based on their ethnic identities have limited socio-economic mobility and limited access to political participation, and for this reason the organization of current society reflects a situation of structural racism, which in turn perpetuates inequality. The phenomenon of institutionalized racism is covert, and is falsely considered something of the past instead of as an ongoing process that is real, still in force, and continually reproduced in social relations. While the fight against racism advances, expressions of racism become more sophisticated,<sup>4</sup> and it intensifies other discrimination based on gender, age, geographic origin, or socio-economic status.<sup>5</sup>

The ideology of racism is institutionalized by the State, as power and access is granted to certain groups based on the recognition of a superior culture. Racism then persists in the attitudes held by those with a voice in shaping laws, public policies, and programs, and therefore becomes imposed on the institutions and interactions that shape everyday life.

One aspect that makes the analysis of racism and discrimination more complex is the fact that Indigenous Peoples and Afro-descendent communities have internalized and accepted the racist structures, often reproducing those structures in their own relations. Stigmas held by certain groups against others create hierarchies that are inextricably linked to physical and cultural traits such as skin color, “grade” or “purity” of blood, clothing, and language and accents.

At the international level there have been significant advances in the instruments and international mechanisms of protection and defense of the rights of Indigenous and Afro-descendent peoples. The Inter-American System of Human Rights is a notable advancement is the construction of jurisprudence on the collective rights, as well as the instruments and mechanisms established in the United Nations system. Nicaragua has ratified the Convention for the Elimination of All Forms of Racial Discrimination (CERD), however, it does not fulfill its commitments with respect to providing periodic information.

After a complex history of external colonization that maintains Nicaragua divided in two socio-cultural realities, in the last few years a process of juridical and political recognition of multiculturalism has initiated.<sup>6</sup> These measures however have not contributed to transforming the State, or to guaranteeing equal opportunities of access in the construction of democracy. The central problem continues to be the form and behavior

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removal or diminishment of recognition, enjoyment, or exercise, under equal conditions, of human rights and fundamental liberties in political, economic, social, cultural spheres, or any other sphere of public life.

<sup>3</sup> UN Special Rapporteur on Indigenous Peoples and CODISRA. JUN POP TIJONIK. 2006.

<sup>4</sup> Francisco Cali. CERD Expert, Guatemala. 2006.

<sup>5</sup> The Guatemala Human Development Report (2005), analyses the concept of social stratification, which gives evidence of the asymmetries with respect to access to development for Indigenous and Afro-descendent Peoples, having to do with difference that go beyond socioeconomic factors, and that moreover, reinforce ethnic subordination. UNDP, Guatemala. 2005.

<sup>6</sup> This is a doctrine based on the explicit recognition of cultural diversity is established in conformance with equality of citizenship. It recognizes the existence of collectives that are historically and culturally different from the cultural group that has been in power, to which once recognized, the collective cultural rights will be guaranteed, incorporating them in laws and state institutions and creating public policies to manage the diversity. Multiculturalism facilitates the culture and the identity that are constituted in main axes of political rights and duties.

of the National State: mono-ethnic, exclusionary in its concept of citizenship and in the distribution of goods and services.

The Mestizo project of the national State continues to identify the administrative structure and resources of the State with an ethnic group, its cultures, and values. Indigenous Peoples and Afro-descendent communities in the Autonomous Regions, Pacific, and Central-Northern region continue to be discriminated against.

Racism and inter-ethnic conflict in Nicaragua continues to be a daily reality in the lives of Indigenous and Afro-descendent people. New threats linked to globalization and internal migration also exacerbate the conflicts. Despite advances in the Indigenous and ethnic movement, as well as increased recognition of rights, it is evident that to fight against these forces there must be greater commitment, as indicated by one of the subjects interviewed for the study:

“We need to operate from a feeling of the value of others and the recognition of our Miskitu, Mayangna, and Kriole brothers and sisters as human beings—as individuals that have their own values, which are worth the same as mine... I need to see [others] as human beings with whom I must live, and therefore, with whom I have to create an environment of empathy where we see each other as people fighting together to move forward ... and for this, we will need to change our ways of feeling, thinking, and acting ... we will need to have concrete goals...to move forward hand in hand as Costeños and as Costeñas ... and this is possible.”<sup>7</sup>

This report seeks to describe racism in a way that documents a range of experiences of discrimination, in all spheres of life. Perhaps the outlook presented here will seem quite negative, as most of the subjects interviewed were skeptical that any governmental or non-governmental organizations are taking steps to address the problems—nor were they confident that the situation would change in the near future. Since racist and colonial structures still exist in all corners of the world, unfortunately there are few examples of anything more than incremental changes in the past few years, decades, or even centuries. However, the intention of this report is not to showcase a list of complaints, nor to assign blame to any particular group or institution. Instead, this study operates under the possibility that the process of documenting experiences of racism and discrimination can facilitate communication across sectors, and can be the first step toward taking affirmative actions to combat the ideology and practice of racism. Thus, like other documents—reports, laws, declarations, treaties—this study can only be a starting point. The real work begins when, armed with consciousness and the will to change, people choose to undertake the task of struggling together for progress.

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<sup>7</sup> Interview with Benalicia Lucas, 2 October, 2006.

## 2. STRUCTURE AND METHODOLOGY OF THE STUDY

This study was conducted with the support of Diakonia, a Swedish international cooperation agency whose mission is to promote the respect and exercise of all the human rights of all people and to contribute to the democratization of societies for the strengthening of a democratic culture. The study carried out the objective of analyzing and systematizing racism as an ideology and an everyday practice in Nicaragua. The specific objectives were the following:

1. To establish and explain briefly the connection between racism, external colonialism and internal colonialism.
2. To characterize racism against Indigenous Peoples, Garífunas, and Afro-descendents in Nicaragua, in the cultural, social, economic, legal, and political spheres.
3. To describe the current situation and trends of the phenomenon of racism.
4. To analyze and evaluate the types of demands of the affected groups to combat racism, the affirmative actions to be taken, and the role of organized civil society in this process.
5. To analyze and evaluate the actions from the State in relation to racism at the national, regional, and international levels, identifying political strategies, programs to raise awareness, and potential results.

### 2.1 Scope and methodology.

The study was carried out at the national level, covering the North and South Atlantic Autonomous Regions, Indigenous Communities of the Pacific and Central-Northern region, and Managua. Qualitative and participatory methods were used to collect the data for the study, complemented by a literature review. The methodology seeks to identify the ways in which racism manifests itself on a daily basis in the lives of Indigenous Peoples, Krioles, and Garífunas in Nicaragua. Semi-structured interviews and focus groups were held with key individuals and organizations in Bilwi, Bluefields, Managua, Sutiaba, León, Nindirí, and Sebaco, as well as with Regional Autonomous Councils. A guide of questions was used for each interview and focus group, and is included at the end of this report (see: "Instruments Utilized.")

We recognize that knowledge of the historical construction of race in Nicaragua is indispensable to a complete understanding of the current situation; however, we consider that beyond the scope of this study. Moreover, it is important to note that policies of the State or of other institutions are by no means static. Portrayed in this study are the impressions of a variety of people based on trends and overall tendencies in the daily experience of racism, but we do not pretend to represent all the facets of this theme, since we understand that there are other experiences and challenges that exist in Nicaragua.

Similarly, it is important to take into account the context of human development and well being in order to appreciate the full extent of the challenges faced by Indigenous Peoples and Afro-descendants in Nicaragua. However, this report does not present extensive data on social, political, economic, or cultural well-being, and only refers to those indicators when directly relevant to expressions of racial discrimination or to examples of institutionalized racism. It is important to highlight that one of the limitations is the absence of a system of national statistical information with disaggregation by ethnicity or culturally relevant indicators, which makes it difficult to make comparisons.

Finally, no ethnic group should be perceived as monolithic, as there is as much diversity in each group as there are shared characteristics. To assign a rigid set of values or perspectives to any ethnic group comes perilously close to contributing to institutionalized racism, as one of the basic traits of all ethnic groups is that, because they are made up of people, they are full of inconsistencies, paradoxes, and contradictions. Indeed, ethnicity is but one of many identities that we use to define ourselves, along with nationality, geographic origin, age, religion, physical and mental ability, gender, and sexual orientation. It is the intersections of these identities that determine the experience that we live as specific persons and Peoples.

The report has been organized in the following order:

In the first two chapters there is an introduction, the objectives are defined, and the scope and methodological aspects of the study are presented. In the third chapter the themes of racism and discrimination are analyzed using an approach based in individual and collective human rights, and concludes with various notes related to ethnic identity.

In the fourth chapter the historical process of racism and ethnic discrimination in Nicaragua is analyzed in light of processes of external and internal colonization. It concludes with a discussion of new forms of colonization that Indigenous and Afro-descendent Peoples confront.

In the fifth chapter the diverse forms and manifestations of ethnic discrimination in cultural, social, economic, juridical-legal, and political spheres are presented. In the sixth chapter the principal demands of Indigenous Peoples and Afro-descendent communities are presented. In the following chapter there is an assessment of the responses that the State and various other actors have given to fight against racism and ethnic discrimination.

In the last chapters conclusions and recommendations of the study are presented.

### 3. RACISM AND INDIVIDUAL AND COLLECTIVE HUMAN RIGHTS

For the analysis of discrimination for ethnic and racial motivations we have considered it appropriate to use a human rights approach. The basic premise of this approach is that a society free from discrimination should permit people to live with dignity and achieve the highest levels of humanity guaranteed by the body of international human rights laws. This requires the recognition that Indigenous Peoples and Afro-descendent communities are subjects with individual and collective rights derived from their specific historical and cultural characteristics, and that a result of racism those Peoples have not had that recognition nor conditions to exercise their human rights.

Indigenous Peoples define themselves as the descendents of the original inhabitants before the formation of States that, independently of their size or level of development, maintain cultural characteristics, cosmovisions, spirituality, and harmonious relationship with nature and are guided by their own forms of organization, customs, and traditions.<sup>8</sup> In the case of Nicaragua, this is understood by Indigenous people as “the human collective that maintains a historic continuity with societies before colonialism, whose social, cultural, and economic conditions distinguish them from other sectors of national society, and whom are governed totally or partially by their own customs and traditions.”<sup>9</sup>

In the case of ethnic communities, these are understood as the combination of families of Afro-Caribbean ancestry that share the same ethnic consciousness, through their culture, values, and traditions, linked to the cultural roots and forms of ownership of land and natural resources.<sup>10</sup> Article 5 of the Political Constitution of Nicaragua establishes ethnic pluralism as a principle of the nation, and that the State recognizes the existence of “Indigenous Peoples” and indicates among their special rights “maintaining and developing their identity and culture, having their own forms of social organization, administrating their local affairs, maintaining their communal forms of property of their lands, and the enjoyment and use of those lands.” These concepts do not necessarily imply that those characteristics are static, or that a certain sample could represent the extensive diversity and forms of organization, or the distinct demands of the Afro-descendent Peoples and communities in Nicaragua.

As the process of reconstructing individual and collective identities and the international and national recognition of collective rights have advanced, the members of Indigenous communities have begun to recover and live in their everyday and public lives their specific collective identities: Rama, Sumu-Mayangna, Miskitu, Chorotega, and others. Each People has more specific cultural characteristics, others that have been adapted, and others shared.

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<sup>8</sup> ILO Convention 169.

<sup>9</sup> Law 445 on Property and Communal Lands. The law defines the term Indigenous community as the combination of families from Amerindian ancestry established in a territorial space that share feelings of identification, linked to the past aborigines of their indigenous people and that maintain an identity and their own values of a traditional culture, as well as forms of ownership and communal use of lands, and of their own social organization.

<sup>10</sup> Ibid.

The concept of a People is linked to the international right established in the International Convention on Civil and Political Rights (ICCPR) and the International Convention on Economic, Social, and Cultural Rights (ICESCR) and has been incorporated, without qualification,<sup>11</sup> in the UN Declaration on the Rights of Indigenous Peoples adopted by the UN Human Rights Council in June 2006. Convention 169 of the International Labour Organization is however the only binding instrument that refers specifically to Indigenous Peoples and tribes. In addition to the United Nations, the Organization of American States has initiated a discussion on the project of the Declaration on the Rights of Indigenous Peoples, and through a variety of considerations, observations, and recommendations, has advanced the international juridical rules referring to Indigenous Peoples. The commission and the Inter-American Court of Human Rights has also had a notable process of constructing jurisprudence on collective rights within the Inter-American system.

Indigenous Peoples possess collective rights based on their historical rights and collective cultural identity, which are indispensable to their existence, well-being, and development as peoples.<sup>12</sup> Collective rights are human rights of the third generation that are derived from their political, social, and cultural structures, spiritual traditions, histories, and philosophy. It is also important to highlight that among collective rights are the rights to self-determination and autonomy, which are expressed through the right to conserve and their own political, juridical, economic, social, and cultural institutions, while maintaining their right to participate fully, if they desire, in the political, economic, social, and cultural life of the State from the local to the national level.<sup>13</sup> These rights are linked to the territorial right based on historical and ancestral usufruct, and access to the enjoyment, use and benefit from natural resources.<sup>14</sup>

The central element in the debate on collective rights of Indigenous Peoples has been the recognition of their collective rights as peoples, and the consequent rights that are derived from that recognition. Because of the close relationship between collective rights and identity as Peoples, individual and collective identity is a process of reconstruction that depends on the degree of oppression that is confronted, the degree of cohesion of the group, their level of coordination with the grassroots, and their relations with the rest of society.

Afro-descendent communities, based on their distinct ethnicity<sup>15</sup> and the conditions of colonization, racism, and social exclusion that have been imposed on them, are subjects of collective rights. For them it has been very complex to obtain recognition of

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<sup>11</sup> The text of the Universal Declaration adopted on June 29, 2006 by the Human Rights Council goes beyond the concept of Indigenous Peoples included in the ILO Convention 169, since it is not limited to the domain of States, and in this sense it is equal to what is established in the first paragraph of the ICCPR and ICESCR.

<sup>12</sup> The definition of the rights of peoples is in the framework of the ICCPR and the ICESCR.

<sup>13</sup> Universal Declaration on the Rights of Indigenous Peoples, Human Rights Council, United Nations. 29 June 2006. A/HRC/I/L.10

<sup>14</sup> Ruling in the case of *Awas Tingni*, Inter-American Court of Human Rights.

<sup>15</sup> An ethnic group is one that shares common cultural characteristics and whose members recognize themselves as part of a group for reasons of relationship, solidarity, or culture. They share a name that they identify with common ancestry, historical memory, common cultural elements (religion, language, customs), and a sense of solidarity. In the case of Afro-descendents in the region, only the Garifunas share the sense of connection to the land and territory.

their distinct identity, because it has been associated with derogatory prejudices and the lack of clear forms of communal and cultural organization of their communities. However, the discrimination that these communities suffer is high and generally hidden.<sup>16</sup>

The black communities, descendants of African slaves and workers of Caribbean islands as a result of the policy of colonization by the English during the 17th and 18th centuries, maintain certain common characteristics, such as their roots in African ancestry, their history of being uprooted and of slavery, and their specific customs, values, and traditions.<sup>17</sup> They are basically concentrated in two groups: the Garifunas and the Krioles.

### 3.1 A note on cultural and ethnic identity

Ethnic identity is dynamic and complex, and can evolve over one's lifetime according to a variety of factors, which may be incorporated consciously or unconsciously into one's identity. It is affirmed by various elements that an individual defines for herself or himself as the criteria for a sense of belonging to a certain group, such as a set of shared values, attitudes, lifestyles, and/or customs. Similarly, cultural identity is formed based on a common ancestry, a shared historical memory, a connection to a native land, and/or common practices such as religion, language, traditions, and customs, which result in a feeling of solidarity. Each cultural group is further defined by its differentiation from others, based on cultural markers (such as language or clothing), and other attitudes and practices that are associated with a particular social group.

In Nicaragua there is a mixture of shared ethnicities and cultures. Therefore, race and ethnicity cannot be defined based on blood, skin color, or physical traits, but rather, are based on the way in which one self-identifies based on a variety of cultural, social, and political factors.<sup>18</sup> For example, the construction of identity in the Autonomous Regions has been defined through contacts with external and internal colonization, in different historical moments, from the first contact with the English in the mid-17th century, up to the current migration of poor rural people from the central region of Nicaragua that is advancing with the agricultural frontier to the coastal regions.

In addition to the specific identities of each people and community, there is also a "costeña" identity promoted by these communities as a strategy of survival.<sup>19</sup>

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<sup>16</sup> Racial and ethnic discrimination is the daily manifestation of racism that is expressed through behaviors differentiated according to the origin of a person. It occurs in personal relations and at each moment, but it also occurs in the institutional domain, where it is expressed in ideological constructions with which one has grown up, lived with, and been educated. Because of the fact of being internalized, it is expressed through laws, public policies, and forms of organization that are adopted by institutions within the State, as well as cooperation agencies, civil society, families, and educational centers. Its effects are both individual and collective, and in the case of Indigenous Peoples and Afro-descendants it is expressed through the violation of their collective rights.

<sup>17</sup> UNDP, Regional Human Development Report, 1999.

<sup>18</sup> In the case of the Autonomous Regions, Law 28 recognizes ethnic self-identification as a right.

<sup>19</sup> Similar processes have been documented in other similar contexts where there are negotiations and repositioning of actors that use symbols, and defend diverse cultural values in contexts of domination and resistance. Ong, (1999)

**Costeña Identity<sup>20</sup>**  
(In relation to your Costeña identity, you feel...)

Comments	Survey 1997(%)	Survey 2001(%)	Survey 2005 (%)
More Costeño than Nicaraguan	32.7	36.9	11.9
As much Costeño as Nicaraguan	45.8	43.5	48.1
More Nicaraguan than Costeño	15.9	17.1	31.6
Don't Know	5.6	2.5	8.4

Source: UNDP, Human Development Report, 2005.

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<sup>20</sup> IPADE. Ortega, M and Ortega. M. Survey on Political Culture, Attitude toward the elections and the Municipal and Regional Regimens of Autonomy. 2001.

#### 4. RACISM: INHERITANCE FROM COLONIALISM

##### 4.1 Nicaragua: multiethnic and pluricultural

The Political Constitution of Nicaragua recognizes the multiethnic and pluricultural character of the nation. In the Constitution, the State for the first time recognized ethnic pluralism as a principle of the nation, accepting the existence of Indigenous Peoples and Afro-descendent communities as societies culturally distinct from the rest of society, with specific rights that refer to the position of land in a collective manner, the election of their authorities, the administration of their institutions, guaranteeing the use and enjoyment of the natural resources existing in the Autonomous Regions. Articles 27 and 91 of the Constitution establish that the State has the obligation to enact laws aimed at promoting actions that ensure that no Nicaraguan is the object of discrimination for reasons of language, culture, or origin.

To realize this principle, profound juridical and structural transformations must be promoted, and for this the State established the Regimen of Regional Multiethnic Autonomy for these populations. Costeña Autonomy represents a step that the State adopts in favor of groups that have been historically marginalized, excluded, and discriminated against from the approach of global individual and collective rights, building on the equality of opportunity for all Nicaraguans, and creating conditions that given (or ought to give) them special consideration to overcome the discrimination that these peoples have suffered. It is necessary to start to define legal procedures to ensure the protection of their rights. The first step was Law 28, the Statute of Autonomy of Communities of the Autonomous Regions.

This recognition is accompanied by norms and laws with respect to the social organization and forms of life of Indigenous and Afro-descendent Peoples in the Caribbean Coast of Nicaragua.<sup>21</sup> As an error in national policy, there is only recognition of multiethnicity and pluralculturalism that manifests and is practiced in the Caribbean Coast, stopping short of the recognition of different cultures of Indigenous Peoples that have survived for centuries in the Pacific, Central and Northern regions of the country.

Within this framework we find that the practice of racism, ethnic, and cultural discrimination in Nicaragua is a social phenomenon that has its bases in European models of colonization and is maintains expressions and reproduction in current daily life. Despite these practices, they are not recognized by the national society and State, and have been spread even further, as indicated by a study by the Office for the Defense of Human Rights... It is “a problem with deep roots in colonialism...and the construction of ethno-linguistic hierarchies generalizing ethnocentric practices.”<sup>22</sup>

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<sup>21</sup> The region will be referred to as the Caribbean Coast in this study, though it is also commonly called the Atlantic Coast region (such as, the Northern and Southern Atlantic Autonomous Regions) though it is on the Caribbean Sea.

<sup>22</sup> Procuraduría de Derechos Humanos, (2002), 8.

Discrimination in the country is practices in the sphere of a divided National State, according to the historical development of the colonial period. First, the state of Nicaragua was of a “Mestizo” character in the Pacific region, separated from the Caribbean Coast, that had distinct cultural and linguistic characteristics and that was annexed to the national territory, and then governed under the Mestizo norms of Nicaragua by the government of José Santos Zelaya in 1894. When speaking of racism and discrimination in Nicaragua, one refers to the “Pacific” and “Caribbean Coast,” between a “them” and an “us.” Thus, discrimination is adopts at least two forms: first, the otherness referring to Indigenous and Afro-descendent Peoples of the Caribbean Coast, and second, the invisibilization and non-recognition of the cultural diversity within the “Mestizo” space, and the non-recognition of Indigenous Peoples of the Pacific, Central and North.<sup>23</sup>

#### 4.2 The historical roots of differences, discrimination, and racism in Nicaragua

The historical formation of the national State of Nicaragua corresponds to the Spanish colonization of the Pacific region of the country and the English colonization in the Caribbean Coast region. Each of the colonizing companies established its own characteristics, distinct from the other, producing different social, economic, and cultural surroundings. This gave rise to a divided state, and results that impact the present, serving as the point of departure for relations between the Pacific and the Caribbean Coast.

##### 4.2.1 The Spanish conquest and its repercussions in the Indigenous cultures of the Pacific, Central and North

For historians like Romero and Solórzano (1991:14), since 1523 marked the arrival of Spanish colonizers to the territory of Nicaragua, the history of Indigenous Peoples has been left immersed in the history of the Mestizo population. Or rather, a model has been perpetuated where there is no room for the socio-cultural diversity that characterized this region before the colonial period, understanding the world from a single vision of a group that was victorious over a colony.

For Indigenous Peoples of the Pacific, the year 1523 was the point of departure of a historical process of dismantling Indigenous societies of the Central and Pacific regions that were later called Nicaragua, by the appearance and development of a new society in whose formation there have been elements of Indigenous, European, and African origin. From the beginning of the Spanish conquest the central idea was to advance the occupation and control of Indigenous territories, eliminating their traditional institutions and authorities, and culturally transforming the population. Romero and Solórzano identified three principal ethnic groups during the Spanish domination, Indigenous, Spanish, and Blacks, which mixed and gave rise to the appearance of new ethnic groups that went on to form the majority of the population of Nicaragua at the end of the colonial period, under the

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<sup>23</sup> Even though the Office for the Defense of Human Rights has recognized the existence of 22 Indigenous communities in the Pacific, Central, and North of the country ((Procuraduría de Derechos Humanos, 2001), there is no national policy for the development and attention to these Indigenous communities.

generic name of “Mestizos.” (Romero y Solórzano, 1991:14-18) Even though the Indigenous communities maintained their settlements in the same regions that they had occupied for centuries, they had to integrate external cultural traits like the Catholic religion and the Castilian language (Romero y Solórzano, 1991:23-25), as one of the processes of forming the national State.

This myth of “Mestizo Nicaragua” was born according to historian Jeffrey L. Gould in the period of Indigenous rebellion and its defeat in Matagalpa and Jinotega in the year 1881. “Since then the official discourse has insistently described Nicaragua as an ethnically homogeneous country” (Gould 1997:16). The Indigenous people of the North and Central region of the country finally lost their territory through the privatization of the lands at the root of the expansion of coffee plantations in the region. “There was a hidden effort of colonialism, silently penetrating the society, that made possible that Indians, that continued to exist, occupied the lowest spots in the social structure, and at the same time were dispossessed little by little of their communal lands, in exchange for becoming ‘citizens.’” (Rizo, 1998:120).

It was a historical process where a hierarchy based in economic, social, cultural, and religious power, that took as its basis phenotypic characteristics, that have been maintained until the present, privileging white traits over Indigenous ones. This concept of “mestizaje,” embraces as a homogenous group the “Mestizos of the Pacific,” which describes a situation of contact like the coming together of different elements that amalgamate to create something new, a new homogeneous combination.<sup>24</sup>

The historian Dora María Téllez describes in detail the process of dispossession of the lands of Indigenous Peoples in Matagalpa and Jinotega caused by the colonization of the Nicaragua State in the years 1820 to 1890. Up to the beginning of the 19<sup>th</sup> century the Indigenous people of the North and Central region of the country possessed the largest property in the region, with a privileged location and good infrastructure based on communal titles to the lands and production for auto-consumption.

The Spanish crown had recognized the right of the Indigenous Peoples to the extent to concede them sufficient land for agricultural cultivation and livestock. (Téllez 1999:63). Amidst the Spanish conquest, the occupation of territory was a constant, and therefore the loss of Indigenous Peoples’ territories, organizational structures, and languages resulted from the Spanish conquest and colonization.

The Nicaraguan State after independence promoted the continuity of the Spanish colonization, a project of colonizer-civilizer, but did not accept the free provision of Indigenous properties or the existence of their communal organizations and authorities that administrated those goods. The post-independence colonization took the characteristics of process of “civilizers” maintaining the hierarchical policies and ways of thinking of the

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<sup>24</sup> The definitive book on the concept of “mestizaje” by the Mexican historian José Vasconcelos *The Cosmic Race* of 1925 (that served as the basic for the construction of national Mexican identity), idealizes the mixture between Spanish and Indigenous people, forming a new “cosmic race,” underlining the Hispanic roots and at the same time negating ethnic and cultural difference.

colonial period, having a strong impact on the forms of Indigenous identification with their territory in the Pacific, Central, and North of Nicaragua.

“Thus, the ‘civilizing’ took place initially to contain the development of Indigenous communities, to then break up their economy and social organization that were considered characteristic to their primitive state. The process implied diluting the ethnic identity, if not quantitatively at least qualitatively.” (Téllez: 1999:296).

This myth of “mestizaje” is part of a reality of Central American societies, including Nicaragua. Central American states are of an ethnocentric character: states controlled by one particular ethnicity, in this case called Mestizos. In this type of ethnocracy the interests of other ethnicities (particularly Indigenous Peoples and Afro-descendent communities) become subordinate, and located in a framework or hierarchy that often invisibilizes them. In Central America, the ethnocentric states maintained two approaches (Adams, 1991:181), first with the establishment of policies at the end of the 19<sup>th</sup> century where forced labor was imposed on Indigenous people, that had the objective of de-culturalization and social control, based directly on the threat of the use of force.

During this period, many Indigenous people were obligated to deny their own identity and apply the superimposition of another identity that would lend fewer disadvantages than being “Indian” (to escape from the forced labor, from the Indian taxes, and the insult in manifestations of generalized discrimination that the society enacted against them). Another strategy related to the Indigenist policy was the integration of the “Indian” into the labor system through activities to “civilize” and “educate” them.<sup>25</sup> The Nicaraguan State that was born from Spanish colonization to consolidate their hegemony and resolve their conflicts, assumed a strong hand: to eliminate the municipalities, liquidate local power, exterminate Indigenous communities and launch itself against the Moskitia reserve.

Even with this situation and the impact on Indigenous cultural forms, authors like Gould (1997:17) question that these processes have meant the expropriation and complete loss of Indigenous communities and the transformation of the Indian into Latino, and instead attempt to recover the history of these Indigenous communities. In the case of Nicaragua Indigenous communities continue to cling to their roots and declared in 1992 that they are a Federation of Indigenous Communities that have not disappeared, from which moment they assumed a series of forms of organization that coincide with their specific demands.

#### 4.2.2 The English colonization in the Caribbean Coast of Nicaragua

The model of colonization adopted by the English varied with respect to its strategies, however the interests were similar: to take control over the collective resources,

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<sup>25</sup> The indigenist policy was officially adopted by the States of the American Continent with the adoption and ratification of the Convention of Patzcuaro in 1940. With its integrationist policies of assimilation were promoted to the states, the most notable being the “campesinista” agrarian reform, “castilianization, and others. This policy was also strengthened with the International Labour Organization Convention 109 adopted in 1951. The central notion was that the Indigenous “problem” could be overcome to the extent that it could disappear and insert itself in the wave of national civilizing.

the authorities, and the population. In the case of Indigenous Peoples of the Caribbean of Nicaragua, the English established a relationship of commercial exchange and indirect occupation, utilizing the Miskitu people for this with the establishment of a relative degree of autonomy. In the Caribbean, the Indigenous Peoples were under the Miskitu Monarchy, an English protectorate that governed under a regimen of Autonomy, until the occupation of Moskitia by the Government of Nicaragua of a little less than a century ago in 1894.

In 1589 the first settlements were established in Laguna de Perlas and Bluefields. From the start there was a symbiotic relationship between the European colonizers (the English, French, and Dutch) and the natives. Throughout the 16<sup>th</sup> century the basis was formed for the alliance between the English and Miskitu that lasted more than 200 years. (Solórzano, 1991:40-41).

The arrival of the English occurred through trade, initiating a capitalist colonization of the Caribbean Coast of Nicaragua, which in contrast to the Spanish colonization was not based on the use of military force but on the exploitation of Indigenous people through commercial exchange. (Solórzano, 1991:41; Rizo, 1991) There was a gradual incorporation of the Caribbean region in the global economy, and the trafficking of a workforce of slaves of African origin. (UNDP, 2005:39-40).

During the 18<sup>th</sup> century, the Miskitu converted into allies of the English against the Spanish, which gave the Miskitu people the possibility of dominion over other Indigenous Peoples of the Caribbean Coast, which was solidified through their military power and strong commercial and political ties with the British. (UNDP, 2005:40; Solórzano, 1991) Even though this model of colonizer did not result in the loss of Indigenous culture of the Caribbean Coast, the result that occurred was more in terms of changes in the Indigenous social structure, which in turn resulted in cultural hybridization, hierarchies of Indigenous cultures, and incorporation the Afro-descendent cultures within this hierarchy.

The new forms of social organization that were imposed by the British colonizers gave rise to artificial institutions that did not reflect the social structure of these Indigenous Peoples. The chief of the community was declared king, conforming to British customs and traditions. (Solórzano, 1991:48-49) Indeed, this became a basis for differentiation and hierarchy not just between Miskitu culture and other Indigenous Peoples, but also according to the geographic position of the communities. This definitely was related to the triumvirate form of government (king, governor, and general) that constituted the essence of the monarchy (Solórzano, 1991) and was organized by geographic areas.

#### Differences Derived from External Colonization

No.	Variable	Pacific and Central Region	Caribbean Coast
1	Language	Spanish	Miskitu, Kriole, Sumu-Mayangna, Garifuna, Rama
2	Religion	Catholic, by nature a religion that is intolerant of other religions	Protestant, various denomination, by nature tolerant since there was never

			just one
3	Racial composition	Mestizo. Spanish-Indian. The incorporation of the black race was not accepted and many fewer races were valued and accepted than really existed. Against identity, low self-esteem, offensive against ancestral communities.	Different Indigenous Peoples, and ethnic communities: Miskitu, Sumu-Mayangna, Rama, Kriole, Mestizo, Garifuna. Proudly assume their ethnic identity as a political, ideological, and socio-cultural position.
4	Institutional tradition	Centralized political power. Political power completely dissociated from rural communities.	Political power is not centralized and does not coincide with economic power.
5	Social organization	Power centered absolutely on one person.	Indigenous communities with articulated identities, collective communal property, own institutions, seeks reproduction of identity not its elimination. Seeks to maintain equilibrium between ethnicity and tradition: in the Moskitia Reserve, Kriole supremacy and diverse social organization. There is no single leadership.
6	State/economy	Flat national state. Oligarchy accumulates more and more economic power.	Diverse national State. Foreign enclave. Economy of markets, combined with Indigenous subsistence economy.

Source: Téllez, D.M. 1996. In Cunningham, M. (1998)

In 1860 the Caribbean region was incorporated into Nicaragua through the Treaty of Managua where the Miskita Reserve was established, with the charge of “governing itself and governing all the people living in this district.” This Reserve was disassembled through military means in 1893 and later through the legal route in 1918. It was through occupation of the Caribbean Coast by the Government of Nicaragua up to 1894 that the pattern of territorial occupation was also imposed on the peoples that inhabited this region. To date, this continues to be the principal point of pressure and cause of conflict.

#### 4.2.3 The Liberal policy in the Caribbean Coast: a policy of internal colonization

With the annexation of the Moskitia, during the liberal regime of General José Santos Zelaya in 1894 the current territory unity of the Nicaraguan state was formed. This liberalist policy was focused on “equality” and control over “national lands.” Under these precepts of equality, the discourse of a homogeneous Nicaraguan society was reinforced

and Indigenous Peoples of the Caribbean Coast became “Nicaraguan citizens,” and their lands came under national dominion. This period was characterized by an increase in migration of Nicaraguan Mestizos to the Caribbean Coast, where forms of organization of Mestizo Nicaragua were imposed in a violent way, and the entire historical occupation of Indigenous Peoples and their territories and resources was ignored. To become national lands, the central government established monopolizing concessions to Mestizos and foreign companies, limiting the capacity of production of Indigenous Peoples. (UNDP, 2005:44)

These policies of liberalism, with the idea of equality and hegemony of the central government was based in ideas of the period of Spanish colonization where the objective was to disequilibrate the grassroots and community structures, establishing a new form of government in these isolated regions. This took place all within the framework of a Mestizo culture that controlled other cultural forms and was at the top of the hierarchy, encouraging relations of discrimination and racism. The purpose was to control the natural resources that were and continue to be a source of economic income.

The process of ethno-linguistic structurization continued to deepen as a result of a series of policies, as evidenced in the following account:<sup>26</sup>

Between 1924 y 1929 arose a ‘precipice of sand, not far from the embankment of the Wawa River,’<sup>27</sup> a port city with modern industrial installations and lines of communication. It had two big sawmills, a dock, and a railroad of 100 kilometers to the interior. The investment of Bragman’s Bluff had totaled 13 million US dollars.

In 1929 the banana export industry reached 4 million bunches, reaching an equal level of importance of coffee for the national economy. Bragman’s converted into a major Nicaraguan company. The changes were quite important for the Moravian Church, as while up to that point it had its headquarters in Bluefields, it moved in 1927 to Puerto Cabezas to ‘concentrate its labor in the Miskitus and Sumus.’

The Bishop Mueller described Puerto Cabezas in 1928 as an industrial and administrative ‘white city,’ with approximately 2,500 inhabitants, the majority of whom were English and North American. The city had a well-constructed dock, an ice factory, a police precinct, a railroad station with a supply of machines and workshops, and above all a sawmill with a capacity of some 55,000 square feet daily.

‘More or less than one mile north of the city, following the course of a good paved road, we find the small villages of New Bilwi and Old Bilwi, with some 1000 to 1500 inhabitants, the majority being Creoles and Indigenous, but also including some Germans, North Americans, and especially Chinese with their businesses.’

According to an envoy of the Government (Ruiz, 1925) the neighborhoods were divided by race with the following hierarchy: foreigners, Creoles, Spanish or Mestizos, Miskitus, and

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<sup>26</sup> Cunningham, M. Inaugural lesson. Recovering the culture of sustainability and autonomy. URACCAN, Bilwi-Kamla. April, 2001.

<sup>27</sup> Wunderlich, V.; Sandino in the Coast. Of the Segovias al Litoral Atlántico. Editorial Nueva Nicaragua. 1989 (p. 91-102)

Sumus. This corresponded to the scale and level of housing. Each group conserved its social cohesion, its language, and its own way of life in spite of the close proximity. The greatest problem was the insecurity of posts of work. Modern technology was used, and therefore, the use of intensive manual labor was only in the beginning until the installation of the machinery. After this the number of workers was reduced. The fired workers had no other option in the region; they had to emigrate. The social situation, therefore, was a hotbed of conflicts. However, the heterogeneity of the work force impeded their ability to organize themselves. Interethnic conflicts were common.

In 1925 there was an action of protest of the Mestizo workers against the admission of black workers. Here we see a report of the Manager: 'In the steamship Algeria that arrived here the 27 of August (1925) we introduced 14 American blacks for the preparation of crossbeams. The same night that those blacks arrived here, there was a protest of the local people against them: the protests continued and worsened until Sunday 30 of August...'

The Manager continued reporting, "They drove the blacks out of their houses with threats; three English blacks were hit and wounded by sticks and stones... They also attacked British citizens of color, threatening to kill them; they intimidated them to the degree that some 40 or 50 already have fled from here after the protests.'

What the manager was saying was that the essential policy of the work system was to promote racial confrontations, in this way we observe a letter from the Mestizo workers to the Government: 'We are asking of the Government the absolute prohibition of the entrance of blacks to the country. Because they are involve the degeneration of our race...'

At the same time, another evident problem worsened. The Land Title Commission of the Central Government had sold to the company 20,000 hectares of communal lands at ridiculous prices. Despite the energetic protests of the community representative Noah Columbus the city was constructed over communal lands. The explanation of the delegate of the central government that traveled to the Region to review the case alleged that, "the titled lacked validity because the Miskitu village did not exist since the 19<sup>th</sup> century and its inhabitants had returned to their traditional nomadic way of life.'

Under the Zelaya regime, laws were adopted establishing mechanisms of election of authorities that violated (even today) the communal autonomy, since they permit the intervention of municipal mayors. Similarly, partial measures were adopted that were linked to territorial rights.

The combination of what was called "Norms of Integration" corresponds to arrangements, still in force, that were drawn up to regulate the internal functioning of Indigenous communities in the Pacific and Central regions of the country, and to determine matters of land in these communities.

In an attempt to offer a coherent formulation of these arrangements, one could use the following categories:

- Those that define forms of internal government of the communities, especially to provide the designation of their own authorities.

- Those that indicate alternative solutions or determining the matters of ownership of communal lands. In this category, special norms are understood for each matter, as well as those contained in ordinances of agrarian reform.
- The civil arrangements that, for lack of legislation or special codes for the management of Indigenous affairs and in particular the communal Indigenous lands, could be utilized to resolve the eventualities that would affect the order of ownership, use, and management of communal Indigenous lands. (Dalton, 2000)

Among these laws, the following should be highlighted:

- The Law of 3 June 1914 that repealed the Law of 16 February 1906, about the sale of land of Indigenous communities, regulating the administration of the goods of these communities;
- The Law of 6 August 1918, about Statutes of Indigenous Communities;
- Accord No. 491 of 1952, from the President of the Republic, for which rules were determined for elections in Indigenous communities;
- Accord No. 902 of 1968, from the President of the Republic, reforming the Law of 3 June 1914 related to the election of Boards of Indigenous communities.

With respect to the Law of 3 June 1914, it is necessary to clarify that previously under the government of President Zelaya, the Law of 16 of February 1906 had been issued, that stipulated the distribution of the communal lands between members of the communities, declaring their extinction and the nationalization of the areas not yet allocated.

In the case of the Caribbean Coast some of the Indigenous communities had real titles and others were able to enter a process of the Title Commission of the Moskitia. Among some of the measures that are worth highlighting are the following:

- The 4 of December of 1847 the Supreme Government of Nicaragua approved the Convention of friendship, alliance, and mutual protection between the Commissioner of Nicaragua Manuel Díaz and the Miskitu Princess Agnes Anne Frederic.
- In 1860 the Treaty of Managua was signed, through which the Government of Nicaragua recognized the Moskitia Reserve and the right of its inhabitants to self-government, its political and legal jurisdiction.
- The 27 of April 1894 the Treaty of Harrison-Altamirano was approved, repealing the Treaty of Managua. Nicaragua acquired sovereignty over Moskitia, committing to recognize the community authorities, respecting their customs and some of their rights to communal property.
- In 1905 the Government of Nicaragua decreed a law to regulate the titling of lands of the inhabitants and the former inhabitants of the Moskitia Reserve, under which only 8 manzanas<sup>28</sup> of land was given to each family.
- In 1919 a figure of the community administrator was created as the authority and representative of Indigenous communities.

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<sup>28</sup> One manzana is equal to 0.7 hectares or 7000 square meters.

#### 4.2.4 Afro-descendent communities in Nicaragua

To speak of Afro-descendent communities in Nicaragua, the data suggest that the populations are Garífuna and Kriole, and are found in the Caribbean of Nicaragua. Again, it is important to reiterate the concept of invisibilization that is the case for Indigenous Peoples of the Pacific, because the existence of Afro-descendent communities and population is not recognized in the Pacific, Central, and North of the country and still remains invisible in statistical terms (a situation that occurs in other countries of the Central American region). With the process of Spanish and English colonization in Nicaragua, the black African slaves were used for agricultural plantation work and later became an extension of trade in Latin America.

One interesting aspect is that the formation of Afro-descendent populations happened through three moments of migration in the Americas: the first was the introduction of blacks spoke Spanish whom were brought to carry out forced labor on the Pacific coast, the second the “Criollo” blacks that spoke English and were established in the Caribbean Coast, and the third wave of migration was the blacks of the West Indies, principally from Jamaica, that were brought to work as slave labor in the big sugar cane and banana plantations throughout the Central American coast. (Oakley, 2001)

There are few studies on the black population in the Pacific of Nicaragua, but according to Jorge Eduardo Arellano, the first black slave arrived in Nicaragua in 1523 with Gil González Dávila and it was from this period that the introduction of slaves originating from Africa began. The Blacks in the Pacific contributed to creating new groups of mixed ethnicity mostly composed of “zambos” (mixture of black and Indian), “mulattos (mixture of Spanish and black) and “carterotes” (those that had one fourth African blood), and other mixtures. In 1820 these constituted 84% of the population. (Arellano) Currently there are no statistical data to determine the percentage of the black population in the Pacific of the country, though it is noted in physical traits of populations like Telpaneca, Momotombo where an identification as Afro-descendent does not exist, as part of the process of “mestizaje” and invisibilization of the policies of the national state.

#### 4.2.5 Colonization through development models on Indigenous land

In 1943, the government of Anastasio Somoza García created the National Indigenist Institute (Rizo, 1991:67), whose mandate was the implementation of indigenism, a policy that promotes the recognition of Indigenous cultures but with a view from outside, from the State, that is paternalist and protectionist. It promotes the gradual integration of Indigenous people into the national culture through laws that reduce them to peasants (land instead of territory) and castilianization. The relations between the State and Indigenous Peoples are vertical, measures are defined from the “top,” and the States view Indigenous and blacks as problems. The capacity of those peoples for self-management is not recognized.

As in other countries of the Americas, the Indigenist Institute has a goal the homogenization of Nicaraguan culture, through the process of education and control of the

State over areas where its position had been limited. This process was followed by the first agrarian reform in 1963, under the auspices of the Alliance for Progress (Rizo, 1991:67), attempting to destroy the organization and control of the surviving communities through the separation of Indigenous Peoples from their lands and their transformation into cheap manual labor for the agricultural export sector (on banana and cotton farms in the west of the country, or working in the extractive industries of resin or lumber in the Caribbean Coast). During this process, there was also a policy of driving colonization in the “national” lands in the South and the Caribbean Coast.

In the context of the integrationist policies of the Nicaraguan State, there have been laws that without the clear purpose of regulating the issue of Indigenous communal property in an integrated way, they contain norms that directly or indirectly have influenced the rights over this property. They include:

- The Law of Agrarian Reform of 1963 (Decree 797 of April 19)
- The Law of Agrarian Reform of 1981 (Decree 782 of October 16) and ordinances that develop, extend the scope, and correct or consolidate its advances. Under these complementary norms are the following:
  - Accord No. 8, or Regulation of the Law of Agrarian Reform of 1981
  - Reform of the Law of Agrarian Reform of 1986 (Decree 14 of February 4)
  - Regulation of the law of Agrarian Reform of 1986 (Decree 22 of February 4)
  - Law of Protection of Agrarian Property of 1990 (Decree 88 of March 29)
  - Law of Stability of Property of 1995 (Lay 209 of November 27)

With the Decree 782 of the Agrarian Reform the Indigenous communities of Pacific, Central and North of the country were ignored, producing titles over communal property (Rizo, 1991:63) of Indigenous Peoples.

#### 4.2.6 The autonomy process in the Caribbean Coast of Nicaragua

The analysis of the process of autonomy taking place in the Caribbean Coast departs from the existence of the Moskitia Reserve and the degree of institutionalism reached, as well as the existence of ancestral institutions in the communities. As a result of the incorporation into Nicaragua, there is a regression that is reflected in the laws, including the denomination of the inhabitants of these regions as savages, or the definition of mechanisms to elect communal authorities that violate the level of autonomy being practiced by Indigenous Peoples.

Nicaragua was not outside of the movement for civil and political rights of the 1970s, as well as the emergence of the Indigenous movement in the sphere of the United Nations.<sup>29</sup> The formation of the first regional Indigenous organization the Indigenous

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<sup>29</sup> In 1971 the UN Economic and Social Council authorized a study on discrimination and Indigenous Peoples. It was concluded in 1984 and is known as the Martínez Cobo study.

Peoples in the Alliance for Progress of Miskitu and Sumu Peoples (ALPROMISU). Among the fundamental demands of this movement were political representation and territory.<sup>30</sup>

With the triumph of the Popular Sandinista Revolution in 1979, the Indigenous movement was transformed under new leadership into MISURASATA, the Alliance Miskitus, Sumus, Ramas and Sandinistas, that negotiated with the Frente Sandinista political participation in the State Council and State institutions. One of the greatest victories of this negotiation was the literacy in languages, during the National Literacy Crusade.

Political changes in the United States at the beginning of the 1980s,<sup>31</sup> and the articulation of new demands of MISURASATA which were not satisfied by the Declaration of the Principles of the Popular Sandinista Revolution on Indigenous Peoples because there was no mention of the territorial rights that were a fundamental demand,<sup>32</sup> there was an increase of historical mistrust between the Pacific and the Indigenous Peoples and ethnic communities, as well as the involvement of certain Indigenous groups in the counterrevolutionary “contra” war. The military response of the Revolutionary government worsened the disagreements, resulting in military conflict that completely impacted the lives of people in the communities, especially in the Rio Coco area, because of the forced relocation and destruction of communities, as well as the displacement and fleeing of the population to Honduran territory.

In this context and in the face of urgency to look for agreement for the pacification, the historical debate about the best formula for the reacquisition of the right to self-government of Indigenous Peoples and ethnic communities began. The result was the approval of the Regimen of Regional Multiethnic Autonomy, whose domain covers what was formerly Moskitia.

Among the characteristics of the autonomy model are the following:<sup>33</sup>

- It is of regional domain and those that live in the specifically determined territory have autonomous rights.
- It is multiethnic and guarantees the establishment of special districts and members of Directive Board of each Indigenous and ethnic community.
- Recognizes economic, social, cultural, legal, ecological, political rights maintaining an integral approach.
- Recognizes as autonomous authorities the institutions of regional, municipal, and communal administration

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<sup>30</sup> This movement negotiated with the Somoza government spaces for Indigenous substitute national deputies and mayors.

<sup>31</sup> With the victory of President Ronald Reagan the relationship between the Democratic government of the United States and the Popular Sandinista Revolution changed, and the stage known as the low intensity war began.

<sup>32</sup> One of the principal activities of the movement was the physical delimitation of Indigenous territory and that for the Sandinista government was seen as threatening in light of the policy of the United States. The argument was that this territory was going to be used by the United States for a military invasion of Nicaragua.

<sup>33</sup> From Cunningham, M. “La autonomía regional multiétnica costeña de Autonomías Étnicas y Estados Nacionales. CONACULTA-INAH. México, 1998.

- Establishes the right to patrimony, budget for regional administration and the creation of a Regional Development Fund.
- Maintains the principle of national unity.
- Recognizes the collective rights of Indigenous Peoples: communal territories, forms of organization, traditional authorities, cultural values and characteristics, languages, forms of administration of justice, and use and enjoyment of natural resources in their communal lands.
- Recognizes the practice of traditional medicine.
- Prioritizes the rights of women.
- Is supported by the Political Constitution of Nicaragua and is complemented by specific laws.
- Relocates functions like health, education, well-being, local development, and others to the regional authorities.
- Establishes the requirement of coordination between the regional authorities and the Central Government.

Article 15<sup>34</sup> of the Autonomy Law of the Autonomous Regions establishes administrative bodies, authorities, and institutions at the regional, municipal, and communal levels, articulating Indigenous Peoples own institutional spaces, with structures created by the State. They are:

- a. Regional Council
- b. Regional Coordinator
- c. Municipal and Communal Authorities
- d. Others corresponding to the administrative subdivision of the municipalities

With the approval of Law 445 in 2003, Indigenous rights institutions at the communal and territorial levels were reaffirmed as institutions of public administration, including communal and territorial assemblies and authorities. The responses of the State in the autonomy process can be classified basically into three areas: development of a normative juridical framework; advances in the establishment of public policies and structural transformations of the State; and construction of intercultural citizenship.

#### 4.2.6.1 Development of a normative juridical framework.

- a) The process of harmonization between the systems of administration of justice of the communities and of the State.

These systems are regulated by different visions and conducts, and therefore cannot be put forth as a single combined system. Starting from the recognition of customary rights in Law 28 of 1987, there is a body of laws that is under construction that includes the Law of the Organization of Judicial Power and the Penal Process Code. Experiences of mediation

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<sup>34</sup> La Gaceta 238- 30 October 1987. Autonomy Statute of the Autonomous Regions of the Atlantic Coast of Nicaragua. CEJUDHCAN. 2004.

in the communities has demonstrated that it is not centered only in the “wihta” (traditional judge) but also in the council of justice integrated by elders, pastors, teachers, a coordinator, a community representative, families of a victim and of the perpetrator of the offense. The application of justice in the State system is learning that mediation responds to the communities’ cosmovision, respects its customs, and that cases cannot be resolved through conventional means of justice, nor necessarily by means of punishment.<sup>35</sup>

b) The incorporation of collective rights and the Regimen of Multiethnic Regional Autonomy in 24 national laws.

This has permitted the beginning of a process of harmonization between the national legal framework and the concept of a multiethnic nation. The themes that have been legislated through these laws include the following:

- Rights to collective communal property
- Environment and natural resources (forest, hydrocarbons, fish)
- Health, education, children, artistic rights
- Administration of justice
- Political administrative organization

#### 4.2.6.2 Advances in the establishment of public policies and structural transformations of the State

Since 1990 with the installation of the Regional Autonomous Governments a process of transformation of the State began, in which the definition of public policies in relation to the rights of Indigenous Peoples and the strengthening of autonomy has advanced in a slow and inconsistent manner. There are at least four stages in this process:

1) Central government ignorance to the autonomous regimen (1990-1995)

The political measure of the Central Government was the establishment of the Institute of Development of the Autonomous Regions (INDERA) with the objective of having an external interlocutor to the regional authorities for the promotion of programs and projects. It was a stage of strong confrontations about the issue. The Regional Autonomous Councils were established and the initial structures of the Regional Governments.

2) Definition of public policies advocated by the Autonomous Regions (1995- 1998)

Better structured, the Autonomous Regions began to define policies including in this period proposals for a Regional Health Model and the Regional Autonomous Educational System (SEAR), and initiated a negotiation of both policies with the Central Government. As a product of the Reform of the Constitution in 1995, there were the first agreements about concessions of natural resources and return of taxes generated in the Autonomous Regions to regional authorities. The Central Government formulated a plan of public

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<sup>35</sup> Interview with local judge., Bilwi, Puerto Cabezas. August, 2004.

investment and accepted to not establish a Secretariat for affairs of the Caribbean Coast. In this stage municipal authorities were elected in the Autonomous Regions.

### 3) Re-centralization of public management (1998- 2002)

In spite of the centralist tendency in this period, a National Education Plan was defined and incorporated a chapter on the SEAR, negotiation commissions were established for the Health Model that also would be incorporated into the General Health Law, and consultation was initiated on the Law on Communal Lands. Discussion of the Reinforced Strategy for Economic Growth and Poverty Reduction (ERCERP) permitted an opening of a discussion in the National Council on Economic and Social Planning (COMPES) and the National Council for Sustainable Development (CONADES) of a proposal for a Vision of a Multiethnic Nation that was defined as a national policy.

### 4) Autonomous institutional development (2002-2005)

With the approval of the regulation of Law 28, the Law on Indigenous Territories, and the consultation of the National Development Plan (PND), the basis was formed for the definition of policies on the environment, concessions of Indigenous territories, public investment and infrastructure that would be more compatible with autonomy and Indigenous rights. Among the mechanisms established for the monitoring of these policies were the following:

- Secretariat of the President of the Republic for the Attention to the Autonomous Regions:<sup>36</sup> Established in Article 11 of law 290 as an attribution of the Presidency of the Republic to establish mechanisms of coordination between the Regional Autonomous Councils based in the established Article 8, numeral 2 of Law 28.
- Joint Panels: The regulation of the regional autonomy law of the Atlantic Coast establishes the creation of all joint panels, with each of the Ministries of the Central Government, 60 days after the entry into force of the regulation. Joint panels of health, education, environment, production and transport have been established, which function irregularly because of the lack of commitment from the executive to allocate resources, responsibilities, and functions to them.
- Spaces of settlement and definition of policies in the national sphere: The Forestry Law, Law of Demarcation and Titling of Indigenous Lands, Law of Mining, and Law of Bosawas, among others, establish the procedures and mechanisms of direct participation of the autonomous regions, which include the National Forest Commission (CONAFOR), the National Council for Sustainable Development (CONADES), the National Commission for Economic and Social Planning (CONPES), the Commission for Demarcation and Titling (CONADETI), the National Commission of Bosawas, the National Mining Commission, and the National Fishing Commission.

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<sup>36</sup> As a result of the re-establishment of this body there have been conflicts that had disappeared in the period of the previous government. In December 2004 the Regional Autonomous Council jointly resolved to prohibit coordination with the Central Government through this Secretariat. The presidency of the Republic insists on maintaining it and has had support from multilateral organization.

- Deconsolidation of the Fund for Social and Emergency Investment (FISE), and the establishment of the Secretariat for Municipal Affairs in the Autonomous Regions.

The processes of reform, modernization, and decentralization of the State have been an opportunity for the institutional development of the Autonomous Regions, but progress has been slow. Among the greatest gaps is the absence of a national policy of decentralization that overcomes the one approach of municipalities that prioritizes the Central Government, and international cooperation agencies and technical assistance, and which incorporates the level of the Autonomous Regions. That policy would consider the proposals from the Autonomous Regions of articulating the transference of responsibilities, functions, and resources in the political, administrative, and fiscal-financial domains.<sup>37</sup> One limitation for the definition of policies and programs that respond to the multiethnic character of the population in the Autonomous Regions is the lack of statistical information disaggregated by ethnicity.

Institutional weaknesses, lack of coherence between diverse autonomous administrative entities, and the limited vision of some of the authorities appears as the internal weaknesses of institutional functioning. In this sense it is necessary to define the long-term strategies, equilibrium between demands of the population and the results of public management of the elected functionaries, and the definition of models of autonomous structures that Costeños hope from the Regional Autonomous Councils, Municipal authorities, and other authorities of the Autonomous Regions. In surveys conducted by the Institute for Development and Democracy (IPADE, 2001), when people were asked about the principal problems of the regional government, 82.4% pointed to the influence of political parties, followed by 77.8% citing corruption and lack of involvement of the Regional Councils with the population.

#### 4.2.6.3 Construction of intercultural citizenship

One of the most visible results of the autonomy process has been the strengthening of intercultural autonomous citizenship. This is defined as the result of having a particular ethnic identity, living in autonomous territory, and exercising autonomous rights. To demand and exercise those rights there has been an increase in civic participation of different kinds, including the establishment and development of the universities of the Caribbean Coast (URACCAN and BICU), local non-governmental organizations, coordination between expressions of civil society, local business owners, ecumenical groups, women, youth, and other groups. With the Law 445, the State recognizes the role of the local government in the territorial and communal authorities, which also contributes to strengthening autonomous intercultural citizenship.

The increasing migration of the Mestizo population to the autonomous region, the reduced representation of Indigenous and Afro-descendent communities in the Regional Autonomous Councils, and the lack of incorporation of the regimen of regional autonomy in municipalities located under the autonomous territorial jurisdiction, have generated

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<sup>37</sup> Mattern, (2003).

tensions in the process of constructing Costeña citizenship. For an effective autonomous government, the subject of Costeña citizenship is a challenge and to confront it the Autonomous Regions have promoted different strategies, including: a) promotion of intercultural communication through the formation of autonomous journalists and media of communication; b) promotion of the use of regional languages and symbols; and c) application of the Regional Autonomous Educational System.

Among the obstacles to establishing new relationships between the Autonomous Regions and the rest of the State, it is important to note that there are still a number of stereotypes about Costeños that prevail, which have been confronted by Indigenous Peoples and ethnic communities.<sup>38</sup> They include:

- They are considered as a national and international geopolitical problem.
- They are a source of subjectivities and strange, anomalous, rebellious, and conflictive members.
- The Autonomous Regions are merely a repository of natural resources.

The weak autonomous institutionalism also suggests a precarious situation for the functioning of the Regional Autonomous Governments, since they have not achieved the establishment of equilibrium between the demands of the population and their capacity for response and resolutions to those demands. Among the principal points of conflict are:

External factors:

- Interference of national political parties
- Transfer of crises from the central government
- Disrespect and violation of autonomous rights by the central government

Internal factors:

- Interethnic tensions
- Conflicts over territory and natural resources
- Exclusion of social actors
- Inability to reach an agreement or lack of interest in agreement
- Lack of transparency in management

#### 4.2.7 The Agricultural Frontier: a new form of internal colonization

The Agricultural Frontier, or frontier of colonization, is viewed in many cases from the economic or ecological approach where one group of farmers, mostly poor, are carrying out a massive migration toward the Caribbean Coast of Nicaragua, having a permanent impact on the ecology and biodiversity. However, it is not recognized that the agricultural frontier is another form of colonization, with the consequent occupation of Indigenous territories, positions of political power in the Autonomous Regions, spaces of commerce

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<sup>38</sup> UNDP, Human Development Report, 2005. "Las Regiones Autónomas de la Costa Caribe. ¿Nicaragua asume su diversidad?"

and service, and in the utilization and exploitation of natural resources. (Mairena, 2006) For the inhabitants of the Autonomous Regions it is understood as a policy of colonization that has tacit support from the central government, continuing to impose the Spanish-Castilian language, and use of that language in the ways of thinking and standards of life of the State.

The clear identification of the agricultural frontier with the “ispail of the Pacific”<sup>39</sup> is also assumed as such by the colonizing Mestizos, reproducing ideas of institutionalized racism that predominate in the country and that present the Caribbean Coast as a different setting, far away, separated from the reality of the country, with an abundance of land and natural resources at the disposal of whoever arrives first. The regional process of autonomy of the Caribbean Coast, and the laws that support it, are perceived by different sectors as a loss of power and control of the State, especially over the natural resources that are found in the region.

The frontier of colonization is expressed as an area where the interest is only in resources of a poor ethnic group, but underlying what is established is an ethnic relation and a hierarchy of Mestizo over Indigenous that is driven in the ideology of the “Mestizo Nicaragua.” The Caribbean Coast continues to be considered as an extensive space of uncultivated “national” lands where cultural difference is an obstacle to the homogenous development as a nation.

For many, the agricultural frontier mirrors the development ideas of the Pacific, because the development scheme is focused on livestock and agriculture, and not on a process of development where there is a sustainable relationship between human beings and the forest, which is a form of managing resources of Indigenous Peoples. Those conflicting approaches transform into points of tension that deepen interethnic tensions. Mestizos that advance with the frontier of colonization, are ignorant of the traditional Indigenous systems of management and use of natural resources, and clearly do not agree with the concept of territory from the Indigenous vision. For Indigenous Peoples, the source of life is the earth and the tree, whereas for most Mestizos, natural resources are seen from a perspective of satisfaction of necessities. Therefore, they also do not believe in the economic approach or of integral development.

This has repercussions in the construction of equitable intercultural relations, which is an indispensable condition for the success of autonomy. Since a couple of years ago, the population of the Caribbean Coast was 10% of the total population of the country, yet it has increased to 17% given the growing migration of farmers and entrepreneurs to the region. This produces effects in the election of representatives in the Autonomous Governments, the great majority of which are Mestizos, that do not have a relationship with or a commitment to the regional autonomy process and which can have a negative impact on the future. This is an underhanded form of racism and discrimination under a different framework, but with the same ideology of the termination of an identity through the establishment of another.

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<sup>39</sup> In the Caribbean Coast the term “ispail” is used to refer to the “Spanish,” “Mestizos,” or whatever foreigner that is not from the region.

#### 4.2.8 Current expressions of external colonization

The inheritance of external colonization has contributed to the formation of very determinate geographical spaces. In the case of the Caribbean Coast the colonial domination has determined the economy, based especially on the model of exploitation of natural resources. The religions imposed and external educational systems have also encouraged assimilation of Indigenous and Afro-descendent Peoples into the Anglo and Hispanic culture. While there is no longer explicit external dominion over the Caribbean Coast, colonialism persists in institutions that are integral to Costeño society. Today, external forces such as globalization and capitalism have colonialist tendencies. While institutions in the Autonomous Regions may not promote racism openly or intentionally, some organizations perpetuate racist ideology because they have inherited the biases of colonialism. Rather than combating these colonialist tendencies, the State continually favors the interests and objectives of Mestizos over those of Indigenous and Afro-descendent communities, further entrenching racism in current Nicaraguan society.

In response to economic incentives, the central government permits external corporations to have access to resources that are located in the ancestral territories of Indigenous Peoples, while the communities do not have the ability to monitor these violations of their collective rights. Therefore, the irresponsible appropriation and exploitation of resources, especially of through forestry and fishing, by external companies constitutes a new form of colonization. Another inherited form of colonization is the exploitation of people through inequitable labor practices. These colonial practices are not just applied by private companies, but also by the central government, which evades its responsibilities defined in the Political Constitution and in the Laws 28 and 445, by refusing to recognize the territorial right of Indigenous Peoples and ethnic communities. In the case of Indigenous communities in the Pacific, Central, and North, the situation is even worse, since there is no specific legal framework to protect their collective rights.

The question of development can be a challenge for Indigenous Peoples and Afro-descendent communities, as each one has its own worldview and its own vision for progress. In spite of this, many agencies of cooperation for development from the Pacific or international institutions that try to bring progress to these peoples do not consult with them. Thus, measures for progressed are imposed from by outside cultures and visions, instead of building on their own knowledge and experiences. For example, while Indigenous and Afro-descendent Peoples have the right to access Western health services and the advances of academic science, it is important to ensure that there is no discrimination against traditional medicines and healing methods. For communities to achieve a better quality of life while preserving their culture and traditions, leaders need have sufficient information about how to defend the individual and collective rights of their communities.

While globalization has great potential to bring about economic growth and to alleviate poverty, it often has negative consequences for marginalized groups. The aspects of a free market economy that have benefited Nicaragua have generally not reached the

Indigenous and Afro-descendent Peoples, but instead have only accrued to the inhabitants of the Pacific who are already economically advantaged. With communal property continually under threat, high levels of unemployment and limited access to credit or capital, the Indigenous and Afro-descendent Peoples in the Autonomous Regions, Pacific, Central, and North are finding that they do not have equal conditions to enjoy the benefits of a globalized economy.

Costeño youth that were interviewed considered certain types of external colonization, like treaties for free trade (CAFTA in particular), favor sectors that live in the Pacific, “the government does not take into consideration the Indigenous Peoples and Afro-descendents in approving the free trade agreements, since they do not take legal initiatives to protect the Costeña populations in a framework of autonomy, this will contribute to the growing exploitation of the lands and natural resources, and the exploitation of Costeño labor, with minimal salaries.”<sup>40</sup> For many Costeño youth, these processes tend to revive certain events of the past related to slavery.

One of the examples put forth about the lack of possibility to compete under equal conditions was the case of people from the communities who arrive in the market in Bilwi to sell their products. They perceive that urban consumers discriminate against them with how they select what they buy. For the producers from the communities it is necessary to make profit to feed their families that stay in the communities while they go out selling their goods, and therefore their prices are slightly higher than prices of producers that have access to capital. In addition, the community producers it is difficult to compete in quality and quantity with producers from the Pacific and other countries that sell their goods in the same market, locally produced goods are crowded out of the market.

However, the effects of globalization are not limited to the economic domain. As is the case with cultural racism, food, dress, and other aspects of external cultures—especially North American and European cultures—are beginning to substitute traditional elements of Indigenous and Afro-descendent cultures. In addition, while communication technologies such as computers, internet, and cell phones have brought many positive advances for the region, they also pose threats to traditional ways of life. One interviewee cited the example of television, which greatly influences the behavior of young people by encouraging them to be consumers of material goods, and to value physical appearance (personal image) over family and community. In order for technology to be a positive force in the region rather than a new form of colonization, it must be equitably distributed and responsibly managed such that it does not further marginalize people who are already disadvantaged.

The values inherent in capitalism also pose a threat to the values of Indigenous communities. For example, while the communities may traditionally share decision-making to benefit individuals by means of the collective, capitalism encourages individualism and transactional relationships based on a producer-consumer structure. One interviewee felt that the influence of capitalism could also be perceived at the national

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<sup>40</sup> Larry Gonzáles, Mayangna Finance student in Managua. Interview, October, 2006.

level, where some of the candidates for political office speak of the country not as the home to a diversity of peoples, but as an object to be used a means of subsistence.

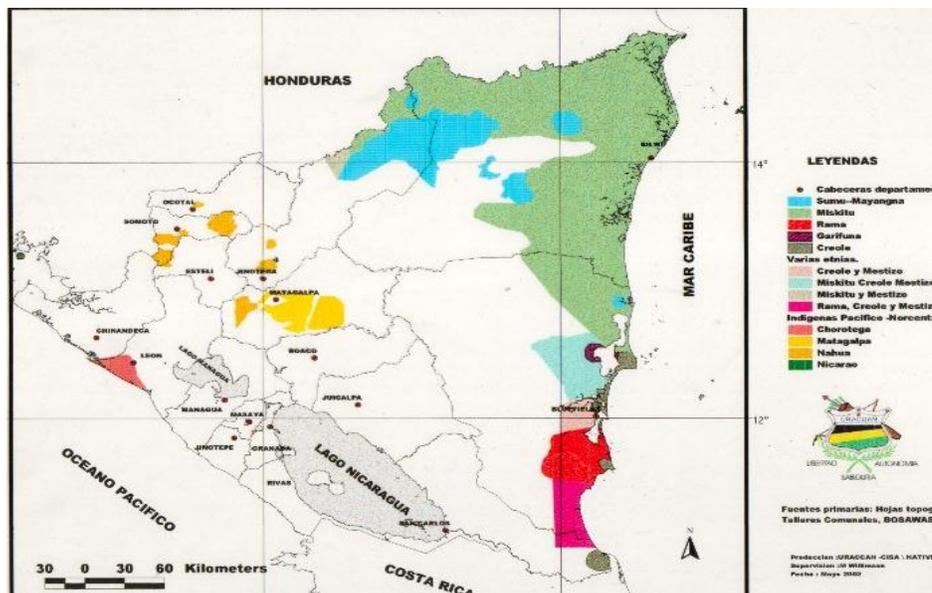
5. THE CURRENT SITUATION:  
 MANIFESTATIONS OF DISCRIMINATION FOR REASONS OF ETHNICITY AGAINST  
 INDIGENOUS PEOPLES AND AFRO-DESCENDENT COMMUNITIES IN NICARAGUA

### 5.1 The socio-demographic situation of Indigenous Peoples and Afro-descendent communities

Indigenous Peoples are distributed throughout the Pacific-Central-North and the Caribbean Coast of Nicaragua. In the departments of Matagalpa, Jinotega, Madriz and Nueva Segovia, live the matagalpas and nahuas; in the department of León, the chorotegas; in Rivas and Masaya, the uto aztecas, nicaraos, and chorotegas. According to the register of Indigenous communities, there are 22 organized communities in the Pacific and Central North.<sup>41</sup> These communities have had greater protection in the last few years, participating in an active and decisive manner in putting forth constitutional reforms that have real influence in their survival and development.

The exercise of local power internal to each community is manifested through its own structures. In some, there are councils of elders, organizations of Indigenous youth, and central directive boards, and in others, as the case of Masaya and Sutiaba, cemetery boards and guilds. These forms constitute the authorities of each community along with the Indigenous assembly.

In the North Atlantic Autonomous Region (RAAN) live Sumu-Mayangna and Miskitus and in the Southern Atlantic Autonomous Region live Ramas and Miskitus. The estimated Indigenous population of Nicaragua is between 10% and 15% of the total population, the majority being Miskitus, Matagalpa-Chorotegas, and Nahuas. The Afro-descendent ethnic communities are Krioles and Garifunas.



<sup>41</sup> Procuraduria de Derechos Humanos. Diagnostic on Indigenous Peoples of Nicaragua. 2001.

## Percentage of Population that is Indigenous and Afro-descendent in Nicaragua

Country	Indigenous Population	Percentage of the Population that is Indigenous	Afro-descendent Population
Nicaragua	485,000	11%	30,000

Sources: Pérez- Brignoli (2003); UNDP, 2003.

## Indigenous Peoples of the Pacific, Central, and North of Nicaragua

Geographic Region	Department	Communities
Pacific	León	Sutiaba
	Masaya	Nindiri, Monimbo, San Juan de Oriente
	Rivas	Nancimí, Las Salinas, Veracruz, San Jorge, Urbayte, El Ostional
Central	Matagalpa	Matagalpa. Sebaco, Muy Muy
	Jinotega	Zona de Apanas, Mayangnas del Bocay, Miskitus de Río Coco
North	Madriz	Telpaneca, Santa Barbara, San Antonio, Cusmapa, San Lucas
	Nueva Segovia	Mozonte

Source: Revista Biodiversidad en Nicaragua. MARENA. 2000.

## 5.2 Expressions of racism in Nicaragua society

In Nicaragua, there exists an underlying racism, whose most evident expression is the unequal human development of the country. The majority of the territories occupied by Indigenous Peoples are among the poorest with the least access to basic social services. In the Pacific, Central, and North of the country we have seen abuses by the municipal mayors offices over Indigenous territories, advancing not only the dismemberment of the lands, but in some cases like Rivas the Indigenous Peoples are not given access to lands where they historically used and controlled. The most serious, however, is the character of invisibilization of those peoples, not just by the State but also by the population in general. If one asks someone in Managua about discrimination and racism, they focus on the situation and mention the differences (the “otherness”) with Indigenous Peoples and ethnic communities of the Caribbean Coast, but do not make reference to the Indigenous Peoples of the Pacific, Central, and North regions.

The framework for formation of a national colonizing State is maintained in the country with a majority population that makes a differentiation between “them” and “us.” Nicaragua conforms to the racist ideology that has reaffirmed the “Spanish” to remain the superior race, which was strengthened by the religious conception that established a divine reason for domination. (Vanegas, et.al, 1981:6)

The Nicaraguan people continue to feel that it is a Mestizo people, and that cultural diversity only exists on the other side of the country, that other space that is recognized as different, and therefore dangerous and threatening to the national “unity.” A colonizing consciousness is maintained, with prejudices about ways of life and thinking of the “different Others,” such that those in the Pacific, Central, and North prefer to integrate into the idea and the identity of a group of poor farmers, and in the Caribbean Coast groups are reduced to populations with negative characteristics.

It is important to note that in current Nicaraguan culture many people do not talk about racism. Racism is something considered barbaric, that under the framework of civilization inherited from the colonial period, to be racist is to recognize that there are people different, something that is not accepted in the Pacific, Central, and North of the country.

Racism and ethnic racial discrimination are terms that for many people in Nicaragua can be offensive to hear because they consider that there is nothing racist or discriminatory about their country or ways of life. In this discourse we find the constant identification of “them,” “others,” this otherness that manifests in a series of inconsistencies of understanding of the national multiculturalism. For the analysis of racism throughout this study, the manifestations of racism have been classified in the cultural, social, economic, juridical-legal, and political spheres.

### 5.3 Manifestations of ethnic discrimination in the cultural sphere

In the cultural sphere, manifestations of racism have been identified in the following areas: ethnic devaluation and low self-esteem; invisibility in daily public life; ethno-linguistic hierarchy and interethnic conflict; prejudices based on “awareness of color”; discrimination against use of the mother tongue; devaluation of local knowledge; and reproduction of racism in artistic production.

#### 5.3.1 Ethnic devaluation and low self-esteem

In the Autonomous Regions there is the perception that colonization has left a mentality of high dependency in all senses, which is reflected in the communities to different extents. This is intensified through the application of paternalist and clientelist policies and in the actions carried out by institutions of the State, political parties and movements, churches, nongovernmental organizations. This is also accompanied by stereotypes that affect people’s self-esteem and dignity, both at the individual and collective levels.

“The current government has worsened the topic of racism, the political party (the ALN) has also spoken of the black hand, and we costeños fall into the trap of being perceived as sexual objects, and we identify with the role of being the people who serve the white, and the women identify with serving whites, we have it very internalized, we feel that it is what we are obligated do.”<sup>42</sup>

The perceptions of low self-esteem coincide with observations from the rest of the country. People in the Pacific whom were interviewed commented that they see the people of the Coast as if it were “another country,” as people totally different and not just by color but also by culture, language, because “they have not been able to develop.” These collective perceptions are reflected in both attitudes and interpersonal relations. One Indigenous women interview in Managua indicated that these attitudes are expressed in a way that designates Indigenous people or Afro-descendents “whether man, woman, or youth, but if you are Indigenous, they don’t say your name, they say to you, ‘What’s up, Black woman? What’s up, Miskitu?’... They don’t say your name. It’s true that you’re Indigenous, but you’re a person!”

One of the ways this form of discrimination is promoted by the State and by groups in power is how they denigrate the leaders, many times using the argument that they do not have “capacity.” It is common in those cases that those groups encourage bad habits, provoke conflicts, and replace leaders using those arguments, and generally admit that they do this for the good of the communities, that they know best how to “manage” and “make the best decisions.”<sup>43</sup> Those arguments are then used to reaffirm the same stereotypes, “The Caribbean Coast is characterized as a corrupt region, from over there people from the Pacific have a negative perception of our population.”<sup>44</sup>

It is important to highlight that for many Indigenous and Afro-descendent people in Nicaragua, because they have a mixed ethnic heritage (they are not of one group, but of various ones), their self-identification and specific culture determines their particular experiences of discrimination.

Another factor that influences discrimination is the place where one is located. The members of the Indigenous community in Sebaco do not perceive themselves to be discriminated against in their community, “they see us as owners of the land, with commercial relations between them and us.” For some Ulwa students from Karawala, racism in its different expressions is not reflected much in Bluefields. They perceive that the communities and different peoples and ethnic communities work together in harmony, that there are sometimes cases where one ethnicity speaks badly of another, but it does not result in serious conflicts or disagreements, since they know their priorities: work and family. However, they perceive a difference in the rest of the country: “In the Pacific, people

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<sup>42</sup> Nubia Ordóñez, Kriole professional, Interview, Bluefields, October, 2006.

<sup>43</sup> A recent case used as an example has been the Mayangna people in the case of the titling of the Mayangna Sauni As in Bosawas. The argument of the Central Government to not register the title of the Indigenous territories by CONADETI in Bosawas is that it there have not “been legal procedures established to register collective titles,” therefore, the “negotiated” solution with the territorial authorities was to transfer the title to the State and then this would be handed over to the communities. This is all to the contrary of Law 445, Law 28, the Political Constitution, and the ruling of the Inter-American Court of Human Rights in the case of Awastingni vs. Nicaragua.

<sup>44</sup> Troy Watson, Kriole athlete, graduate in Business Administration, Interview, Managua, October, 2006.

look at us strangely, they criticize our culture, dance, and the way we talk and where we come from.”<sup>45</sup>

For Indigenous people of the Caribbean Coast that live in Managua, the situation of discrimination is very acute, “they think that people from here are people, and that Indigenous people are not people.<sup>46</sup> Among the forms of discrimination is the lack of relating with them in the neighborhoods because of prejudices and stereotypes that they have about people, they see Indigenous people as “pleitistas,” or conflictive. They also noted that people do not invite them to form part of their neighborhood organizations. In the case of women who arrived to Managua during the war years who married Mestizo men, they feel they have been confronted with a series of pressures for not practicing their culture, for not using their language, “we were discriminated again because we didn’t speak Spanish, and also for the physical (dark-skinned), it was difficult, they didn’t give us work. Language hindered work.”<sup>47</sup>

In the case of mixed marriages, discrimination was manifested through pressures on mothers to not teach the language or other elements of their culture to the children, combining this argument with physical appearance, “because they didn’t have Indigenous Miskitu ‘traits,’ and because they were white then they would have to speak Spanish, that I don’t want my child like you, speaking backward Spanish.”<sup>48</sup> The women interviewed said that they have accepted those conditions, “so that the men don’t leave us,” even though they admit that this gives them a lot of “sadness because they don’t know how to speak.” They also refer to be pressured by their children to assimilate, once they get older and completely adopt cultures of the Pacific, as in the case where “they dress like women from the Pacific when they meet boyfriends or friends.”

There was quite a generalized concern that there is a perception that youth are confronted with serious obstacles to maintaining their identity. In this sense, the role that the school places was identified as instrumental. One person interviewed noted that in urban areas like Bilwi, children attend multiethnic schools, and it is often easier for Miskitu children to absorb the culture of their Mestizo friends than to maintain the traditions and customs of their own culture.

Many of the people interviewed expressed a feeling that there is a clash of cultures between the Pacific and the Caribbean Coast, between different traditions, customs, and ways of life. The dominance of Mestizo culture over the other non-Mestizo cultures is seen in the norms that are established for food, clothing, and other customs. For example, while Mestizos in the Pacific are often farmers, Krioles from the Caribbean Coast are often fishers. Mestizos from the Pacific who consider agriculture as a form of work that is superior to fishing have called Krioles lazy for not undertaking agriculture as their own form of work. Furthermore, even the type of agriculture in the Pacific may be endorsed by the dominant society over other forms. A farm in the Pacific may encourage burning forests to clear land for farming, while in the Caribbean Coast Indigenous communities have preferred to prioritize conservation of the land over more destructive methods of farming.

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<sup>45</sup> Moisés Torres, Ulwa student in Community Leadership from Karawala. Interview, October, 2006.

<sup>46</sup> Focus group, women of the Moravian Church in Managua, October, 2006.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

The variety of traditional foods and forms of production of Indigenous Peoples is also being overtaken by the strong influence of food from the Pacific. For example, while yucca used to be the primary staple in the diet of the Indigenous Peoples in the Coast region, now corn tortillas are becoming more central to the diet. Similarly, many people prefer to consume artificial products like Coca-Cola rather than juices of natural fruits that are native to the region. While the State promotes Mestizo culture, as well as cultures “imported” through globalization, there are many parts of Indigenous and Afro-descendent cultures that are not recognized much less celebrated by the State.

In the interviews with Mestizo people one aspect that came out, however, was the recognition and valuing of difference with Indigenous Afro-descendent people because of the fact that “they have a defined identity.” The positive aspect of ethnic diversity in Nicaragua is that everyone can learn from experiencing other cultures. However, it is a challenge for Indigenous and Afro-descendent families to preserve in the context of where certain cultures are privileged over others.

### 5.3.2 Invisibility in daily public life

One of the most dramatic consequences of ethnic discrimination that confronts Indigenous communities of the Pacific and Central-North is that they are in an open process of invisibilization. They indicate that they are recognized neither by the authorities, nor by the population with whom they live. In a focus group of journalists, they commented the following in relation to that group: “they don’t know us because there is not a State program oriented at encouraging or inculcating knowledge from childhood of the country in all its dimensions.” According to the authorities of the Indigenous community of Sutiaba, the clearest expression of this oversight is the lack of fulfillment of the Law of communities, the “Law of Annexation” to the city of León in 1902, which mandated that the municipal income generated in Sutiaba be given back, as well as the respect of communal property, grants, and the designation of a municipal authority to monitor that their rights under these agreements were enforced. They assessed that the law was not respected by the different municipal authorities.

For youth of the city of León, there is no severe racial discrimination against Indigenous or Afro-descendent people. They consider that the population respects the culture and traditions, but although people use terms like “Indian” or “Black” to address people of the community of Sutiaba or people from the Coast. “I don’t think that we say it in a context of discrimination, we use those terms with our friends in confidence, but it doesn’t bother them, I think that now racism is disappearing.”<sup>49</sup>

It also happens, however, that people who live in the city of León are not interested in knowing or establishing any type of relationship with the community of Sutiaba, claiming that the long distance is the greatest limitation. They are ignored, because they

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<sup>49</sup> Jonatan Alberto Fonseca, student in engineering from León, Interview, October, 2006.

have a different physical appearance from the majority of the population there, so they are considered ignorant “Indians.”<sup>50</sup>

For the Indigenous Peoples of the Pacific and Central-North, the absence of specific laws referring to their rights is the expression of this degree of invisibility.

### 5.3.3 Ethno-linguistic hierarchy and interethnic conflict

Racism is expressed in the cultural sphere as discrimination against the cultural expressions of Indigenous Peoples and Afro-descendent communities. In daily life, cultural racism can often be the more evident than other types of discrimination since it occurs between individuals, in all social spaces. One of the manifestations of discrimination inherited from colonialism is the social and cultural organization in a system of ethno-linguistic hierarchy, with dynamics of power and privilege that have been established over several centuries. It is not a static system, but rather, interweaving combinations are observed through various peoples and communities. That is, while Indigenous Peoples and Afro-descendents are discriminated against by Mestizos they also discriminate against each other. Currently, stigmas are maintained based a combination of physical traits and cultural factors, creating ethno-linguistic hierarchies (skin color, “grade” or “purity” of blood, clothing, language or accents, among others), where those lower on the hierarchy are discriminated against by all the others. Indigenous Peoples and Afro-descendent communities have internalized and accepted racism, and reproduce it in their relations. The prejudices among peoples and communities may arise from attitudes formed within their own cultures, but more often come from the struggle to maintain a place in the social hierarchy—within a context of few resources and limited sharing of power by Mestizos. One person interviewed in the RAAN remarked, “Here in the region racism is something that still exists. It always exists. The Spaniards don’t like Blacks, Blacks don’t like Spaniards. The Spaniards [Mestizos] don’t like Miskitus, Miskitus don’t like the Spaniards.”<sup>51</sup>

In this context the perception by Mayangna people that they are discriminated against by Miskitus is especially strong. Because Miskitus are the majority ethnic group in the RAAN they are more mobilized and have secured increased political power over the last few decades. By comparison, the Mayangna people have remained more isolated, and it is only recently that there are increasing numbers of Mayangnas who are attending universities and becoming professionals. One person interviewed noted that while racism perpetrated by the Central Government is subtler because is based on economic, social, and political subordination, the form of racism against Mayangna people practiced by some Miskitus is blatantly visible in daily life. “[People from the Pacific] discriminate against you by isolating you, by not supporting you, not accepting you, while Miskitus here in the region express it to you. They tell you.”<sup>52</sup> Since the Miskitu were given arms by the British to gain control over the territory, even today the tensions between the peoples are maintained because Mayangnas feel that they have been displaced from their land by Miskitus. Thus,

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<sup>50</sup> Focus group of university students in León, October 2006.

<sup>51</sup> Julián Holmes, Justice of the Appellate Court, Interview, October, 2006.

<sup>52</sup> Aurelia Paterson, Mayangna leader, Interview, September, 2006.

Mayangnas report that they experience three layers of discrimination: because they are poor, because they are Indigenous, and because they are a minority among the Indigenous groups. Members of Indigenous Peoples in the RAAN living in Managua refer to the hierarchy between them as a situation combining socio-economic status, geographic origin, and Indigenous origin, such that between Miskitus and Mayangna there is a perception of superiority of the coastal area (Sandy Bay), then Miskitus of the Río Coco, and a perception of inferiority of the Mayangna.

Krioles express the perception that they have been stigmatized for being Black, often being labeled in pejorative terms. Stereotypes predominate among other peoples and communities that Krioles are lazy, that they are prone to drinking, they loiter in the streets, and they only like to play sports. At the same time, people interviewed from other Indigenous Peoples and ethnic communities reported that they observed Krioles feeling superior “because they have higher economic status,” a situation that persists as a result of having secured more prestigious positions with the North American companies in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. These stereotypes and impressions of one group against another generate tensions, which escalate discrimination and deepen racism.

For some students from León, discriminatory expressions toward Indigenous and Afro-descendent Peoples form part of daily life, and they accept it as equally common among people that belong to those communities. Racial expressions have consisted in part in the custom of treatment toward Indigenous and Afro-descendent people, “I don’t think it bothers them, and also the people confuse racism with the affection that we have, but a lot of this is because of ignorance in general because many of the people that stand out today in different activities in the world are minorities.”<sup>53</sup>

#### 5.3.4 Prejudices based on “awareness of color”

In Nicaragua racism is “underhanded,” one that no one wants to express, “but that is the reality...the people who are integrated into the society are white”<sup>54</sup> commented one of the people interviewed. One of the most generalized forms of discrimination is expressed based on one’s color, which many times coincides with economic power. One of the people interviewed in Managua consider that for the hiring of employees, even for positions like a receptionist they look for someone “white, light eyes, many times that doesn’t even know the job functions.”<sup>55</sup> With the differentiated treatment toward people based on color, whites receive better attention, and the darker skin one has the more likely that person is to be treated poorly, even with contempt. This form of generalized discrimination can start from within the home, where a child that is born with lighter skin receives more attention in the family.

Awareness of color is one of the ways that there is an existence of the “other,” something that is not “us,” and that in addition to being different, many times is inferior. The majority of Mestizos assume that lighter skin is better. If in addition to darker skin one

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<sup>53</sup> Isabel Guevara, student in Financial Sciences in León, originally from Chinandega, Interview, October, 2006.

<sup>54</sup> Fernando Jambrina, Interview, October, 2006.

<sup>55</sup> Gerardo Gutiérrez, Interview, October, 2006.

also has phenotypic traits that are devalued, like a particular type of nose or lips, the manifestations of discrimination increase.

### 5.3.5 Discrimination against use of the mother tongue

One of the principal forms of cultural racism is discrimination against the use of mother tongues. In the Autonomous Regions, race and ethnicity are linked to language, since the ability to use the dominant language increases one's opportunities and access to the privileges of the dominant culture.

This dates back to the colonial era. When the British had dominion over the Moskitia, the slaves that were brought from Africa had a closer association with their British masters, and thus learned English (incorporating elements of languages from their African heritage, which resulted in Kriole). The fact that the slaves had more access to the interactions with the British allowed them to benefit from speaking the colonizers' language, elevating their social and economic status. This access continued even after the abolition of slavery, as North American companies that came for the banana, rubber, mining, and lumber industries again granted elevated positions to the Afro-descendants who had the advantage of speaking Kriole. While Krioles have been continually discriminated against for being of African descent, their association with Anglo culture as enabled them to penetrate dominant institutions in ways that the Indigenous Peoples have not.

Today, that ethno-linguistic hierarchy continues as those who are able to speak Spanish—the official language of the State—can access greater opportunities than the Indigenous Peoples who live in communities where the first language is spoken more than Spanish. Language is also one of the principal means passing on traditions to future generations, so discrimination based on language can be particularly destructive to the preservation of culture within a family. This was evident in the case of families who have moved to Managua, where as the result of pressure in the home the mother tongue is not taught to the children.

In the case of Indigenous and Afro-descendent children live in an urban area and attend a school where the instruction is not bilingual, they may use Spanish as their primary language, in detriment to the autonomous languages. The principal problem of people who move toward urban centers or out of the country is language, and the difficulty of adapting to new social surroundings without losing their customs and culture. In the case of the RAAN where instruction in Kriole is limited, the situation can be more complex for Kriole families, since it depends on the families to ensure that their children speak the mother tongue. Furthermore, one person interviewed in Bilwi remarked that when two Kriole people meet in the street they often speak in Spanish because it is the language most used in daily interactions, and expressed great concern for the possibility of Kriole being lost due to Castilianization. In the case of Bluefields, one of the manifestations of discrimination against the Kriole language, according to many Kriole families, is the substitution English for the mother tongue.

The dominance of Spanish over the languages of Indigenous Peoples and Afro-descendants also contributes to economic inequality, limited access to higher education, and inequitable application of the laws. At the same time, the fact that inhabitants of the Autonomous Regions often speak two, three, or even four languages is an immense resource to those regions that many feel has not been fully utilized.

#### 5.3.6 Devaluation of local knowledge

The knowledge of Indigenous Peoples and Afro-descendent communities is the accumulation of traditional knowledge associated with the ancestral occupation of their territory, the forms of governance adopted, and the cultural elements that have permitted the reproduction of the People. It involves the norms, social values, and mental constructions that organize and guide the life of a community or a people. That knowledge contributes to the processes of regulating the use of the land and biodiversity, and contributes to the meeting the basic necessities of life, generating opportunities of access to food security, traditional medicine, fostering of arts, crafts and technology of construction, that are fundamental in the protection and customary use of biodiversity. Traditional knowledge is continually discriminated against by the rest of society and by the State. It is not taking into account in development activities that are promoted, either by the State or by other organizations.

One of the forms of discrimination against Indigenous and Afro-descendent traditional knowledge has been categorizing it in the realm of evil or witchcraft, as the unknown and dangerous. One of the paradigmatic examples was the elimination of “walla gallo” in the texts by the Ministry of Education, Sports, and Culture (MECD) because it was considered witchcraft.

#### 5.3.7 Reproduction of racism in artistic production

Among the examples analyzed in this area is the treatment of blackness in Nicaragua literature. From examples of expressions of Rubén Darío that applaud racial segregation (in Panama), or in a famous phrase that alludes to the absence of talent in Blacks. (Castro, 2003)

Castro concludes that Nicaraguan literature reflects and influences the ideology of racism in Nicaraguans, and that in literature elements of racism can be seen clearly, as well as awareness of color, that many times is accompanied by prejudices. Some Mestizo Nicaraguan writers have been openly racism or have caricatured characters, even though others have attempted to establish a dialogue between various sources of Nicaraguan cultural heritage.

#### 5.4 Manifestations of ethnic discrimination in the social sphere

In the social sphere, manifestations of racism have been identified in the following areas: lack of socio-demographic information; social exclusion; discrimination in health care; discrimination in churches; discrimination in education; discrimination in processes

promoted by international cooperation agencies and development aid; discrimination through the media; the impact of racism on gender relations; migration and racism; and the advance of the agricultural frontier.

#### 5.4.1 Lack of socio-demographic information

One of the main limitations in improving the situation of Indigenous and Afro-descendent Peoples in Nicaragua is the absence of basic socio-demographic information. How big is the population? The answer is generally between 5% and 15% of the national population. The existing information reveals instrumental conceptual limitations in censuses, surveys and samples for the following reasons:<sup>56</sup>

- a) The State does not consider some information to be relevant to differentiate in the register (Martínez Cobo, 1981);
- b) Use of exclusive categories in registry (e.g., only speakers of languages older than 4 years old are counted);
- c) Use of pseudo-scientific categories: “race,” “color,” etc.;
- d) Indigenous peoples located in areas that are difficult to access, or in urban areas;
- e) Indigenous peoples excluded by the particular application of samples, partial sampling, or because of the discontinuity in projects;
- f) Biases of the instruments, in spite of using valid categories (e.g., identification by surveyors instead of self-identification);
- g) Errors due to the registration of demographic information (e.g., lack of training of the registrar or application of the registrar’s own criteria);
- h) Lack of identification of Indigenous Peoples in the sectoral registries (health, education, nutrition, employment, trade, agriculture, services, and others);
- i) Lack of identification in Indigenous Peoples in governmental budgets and national accounts;
- j) Information is considered irrelevant, rejected, or ignored by agencies or governmental institutions;
- k) Bureaucratic systems resistant to innovation;
- l) Pseudo-scientific prejudices about the importance of Indigenous Peoples;
- m) Resistance to recording information that is “uncomfortable” for the governments.

The National Population and Housing Censuses of 1950 and 1995 tried to quantify ethnicity, in 1950 using as a variable the population over 6 years old according to the language used in the household, and in 1995 the population over 5 years old and the language spoken since childhood.

Since the Surveys Measuring Standard of Living (EMNV) that have been applied since 1993, in 1998 and 2001 they included questions on mother tongue, language, and self-identification in the section on characteristics and composition of the home, facilitating the attainment of socio-economic and demographic indicators disaggregated by ethnicity. The

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<sup>56</sup> Zolla, 2006. Meeting of regional Indigenous experts of Latin America and the Caribbean on indicators of well-being and Indigenous Peoples. United Nations Permanent Forum on Indigenous Issues.

question on mother tongue and language were also included in the Nicaraguan Survey of Demography and Health (ENDESA 1998-2001), which had more representativity than the EMNV because of a larger sample size. In the Agricultural Census (CENAGRO) ethnicity was not considered.<sup>57</sup> No state institution incorporates variables of ethnicity in its statistics or systems of registry.

#### 5.4.2 Social exclusion

Social exclusion cuts across classifications of groups by ethnicity, age, gender, physical and mental ability, in individual and collective ways, such that people cannot participate fully in the life of the community. Moreover, poverty results in further social exclusion due to lack of access to employment, income, savings, property, housing, education, and rights of citizenship. Exclusion based on socio-economic status is often reinforced and/or exacerbated by racial and ethnic discrimination.

#### 5.4.3 Discrimination in health

One of the most striking social inequalities is that of unequal access to health care. Discrimination is expressed basically in two forms: limited access to health services and the lack of support for the development of autonomous health systems of Indigenous and Afro-descendent Peoples. Because of the fact that the majority of doctors in the Autonomous Regions are from the Pacific, they often do not speak Indigenous or Afro-descendent languages, which reduces the possibility for equitable attention to the population. Moreover, even though there are clinics or health centers located in the communities, the people do not have the economic means to buy the medicines prescribed to them after a visit to the doctor. Some people interviewed felt that a manifestation of discrimination is not having sufficient medical personnel, including the fact that doctors performing social service hope not to be assigned in regions inhabited by Indigenous and Afro-descendent People.

It is the perception that health policies have limited the development of autonomous health systems of the communities, which barely began to be accepted when the State decided to take into account people's culture at the start of the autonomy process. However, there are still limitations that significantly affect health indicators. For example, it is difficult to address topics like maternal mortality if it is not starting from an Indigenous cosmovision. The figures of maternal mortality are significantly higher in regions where Indigenous Peoples live, including Jinotega, the RAAN, RAAS, and Matagalpa, which all have averages greater than the national average.<sup>58</sup> Those regions and departments also have higher fertility rates, lower institutional coverage, and higher unsatisfied demand for family planning. (UNDP, 2000)

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<sup>57</sup> Mejia, S. Ethnicity in statistical production in Nicaragua, 2002.

<sup>58</sup> The average of maternal mortality at the national level is 106 per 100,000, and the rates for Jinotega, RAAN, RAAS and Matagalpa are 267, 236, 192 and 188 respectively. (UNDP, Human Development Report, 2000).

One of the demands of the Autonomous Regions is to respect the regional intercultural Health Model that includes adoption of special policies that incorporate respect for autonomous forms of organization in health systems.

#### 5.4.4 Discrimination in churches

While some people interviewed identified churches as spaces of socialization to use the mother tongue and one's own forms of cultural expression, others identified churches as institutions where discrimination is practiced. Among the manifestations mentioned was that some churches hold separate masses for each Indigenous or ethnic community. While the majority of churches in the Autonomous Regions this type of segregation, it is a troubling situation for parishioners of the churches where it does occur. One person interviewed remarked, "In religion, we are all in front of God, so why should we be separate? We are all children of God and all made of the same blood."<sup>59</sup>

Often the high positions in Moravian churches are traditionally occupied by Mestizos, even if attended by Miskitus and Krioles.<sup>60</sup> One of the problems within churches in the Autonomous Regions has to do with language since not all of them are bilingual, and this comes out as a limitation when decisions are made about selecting the leadership of the churches. There is resistance by Miskitus against Krioles, and vice versa. In the case of Mayangnas, they also perceive that there is racism in churches because the sermons are only presented in Miskitu, without interculturalism, and that for the fact of being a minority group they cannot be part of the church leadership committees.

In the Pacific some Costeños did not feel comfortable at Catholic churches because they felt that as a minority they receive different treatment than the Mestizo majority, a treatment that they experience both participating in the church and outside of it.

One person interviewed believed that there is racism in some structures at the social level like in churches is reflected in the fact that they are not multilingual, and at the same time this comes out as discrimination against people who do not know the most common language. Others argued that having separate masses is merely a matter of convenience, as a community should be given a sermon in its own language. Still, there was also concern from certain groups (especially Mayangnas) that there are not enough reverends to represent them in the churches.

The politicization of public life drives institutions to look for political alliances to be able to survive. For example, many people interviewed felt that often churches are allied with political parties, and that the ethnic divisions inherent those parties are projected into the churches. Thus, rather than being spaces for people of all ethnicities to build social ties based on shared religious beliefs, churches become spaces for political parties to promote their own agendas.

It should be noted, however, that despite the fact that some churches have discriminatory practices, many also work closely with communities to promote the rights

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<sup>59</sup> Focus group of students in Bilwi, September, 2006.

<sup>60</sup> Focus group of women who attend the Moravian church. October, 2006.

of Indigenous Peoples and Afro-descendants through their provision of social services and education to their respective congregations.

#### 5.4.5 Discrimination in education

The issue of discrimination in schools is multifaceted, and raises the question of how to provide a culturally appropriate education to the country's ethnically diverse population. While in the Autonomous Regions programs have been initiated to teach interculturalism in the schools, difficulties persist in the implementation because of limited financial and human resources.

Among the limitations that have been identified are the following:<sup>61</sup>

1. The coverage of the Program in Bilingual Intercultural Education (PEBI) is still limited. It only covers 35% of the schools and 70% of the communities in the RAAN and RAAS.
2. The school dropout rate is critical, in some Indigenous communities of Jinotega reach up to 78% before concluding the fourth grade of primary school.
3. In the RAAN 27% are multigrade schools, with higher figures in Bonanza with 71% of schools being multigrade, in Rosita 51%, Prinzapolka 55%. In the RAAS 15% of schools are multigrade, and the municipalities most affect are Desembocadura del Río Grande of Matagalpa and Laguna de Perlas.
4. There are deficiencies in the teaching methodology of the autonomous languages, and of Spanish as a second language.
5. 52% of the teachers are monolingual and graduated as MEP, 14% have only concluded the basic cycle of secondary level, 10% have only completed a high school degree, and 6% have only completed primary school.
6. Only 25% of school buildings are in good physical condition.

While the PEBI is practiced in the Autonomous Regions, some people feel that those programs only respond to the necessities of the majority peoples or communities, ignoring the necessities of the minorities to receive education in their mother tongue, in each respective region (Kriole and Mayangna in the RAAN, Garífuna, Rama and Miskitu in the RAAS). This also includes Miskitus and Mayangnas of the Bocay region who feel that they have been marginalized from this program.

At the same time, there are people that believe that although education in the mother tongue is critical to respecting the cultures of Indigenous and Afro-descendent Peoples, there is a risk of impeding the success of young people who will ultimately need to speak Spanish well to be successful professionals. Others counter that learning multiple languages is in fact a comparative advantage for young people of the Autonomous Regions, and that discrimination against other languages by prioritizing Spanish poses a greater risk than bilingual education.

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<sup>61</sup> Dixon, Baseline study on bilingual intercultural education (EIB) in the Autonomous Regions. FOREIBA, 2001.

In either case, there is discrimination against students of fewer economic means (who are more often from the communities), and are unable to attend private schools or to go on to higher education. These students must attend public schools that are in extremely poor condition, with no educational materials and low-paid teachers who have little incentive to provide high quality instruction.

There is also a question of cultural sensitivity, since schools often use curricula that reflect the worldview promoted by the State, rather than the realities of Indigenous and Afro-descendants Peoples. It is only recently that there is limited application of programs with new curricula in the Autonomous Regions. The demand in the Autonomous Regions is the implementation of the Regional Autonomous Educational System (SEAR). One of the manifestations of ethnic discrimination expressed in Indigenous communities of the Pacific and Central-North is the absence of scholarships and special educational policies.

#### 5.4.6 Discrimination in processes promoted by international cooperation agencies and development aid

The question of discrimination in the process of the definition and execution of programs and projects among Indigenous Peoples and Afro-descendent communities is quite complex. There is the sense among these communities that external cooperation agencies have functioned with a generally paternalistic approach. The external intervention that is perceived as the most serious is the imposition of development models that do not originate in the communities. These development processes generally begin with the absence of an intercultural dialogue, and without creating mechanisms and capacities to know and interpret the needs, realities, and visions of the communities.

In the processes of developing and implementing programs and projects in the Autonomous Regions, people from the Pacific are often implanted into the leadership positions. This reproduces the power structure from the outside. On the question of discrimination and racism, one person remarked, “they have much more discourse and little coherence in practice.”<sup>62</sup> Some feel that program directors conduct projects from their desks in the capital, without taking into account the realities of the communities their projects are supposed to benefit.

On the other hand, the non-governmental organizations in the Pacific that work on projects in the Autonomous Regions feel they are discriminated against. They are not invited to analyze issues, they are not asked for their opinions, just from being “from the Pacific.”

#### 5.4.7 Discrimination through the media

Another expression of racism in the social sphere is the lack of attention to Indigenous Peoples and Afro-descendants in the media. One of the people interviewed gave the example of television news reporters attending a meeting about a territorial dispute between the State and an Indigenous community. The journalists interviewed

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<sup>62</sup> Flor de Ma. Monterrey, MINSA. Interview, October, 2006.

various participants in the meeting, but when the news was broadcast only representatives of the State appeared in the report. Similarly, if translation is not provided for Indigenous community leader, journalists choose not to interview them at all. If an Indigenous leader does not have the opportunity to present the demands of his or her community, the public only hears one side of the story—that of the government.

Frequently the media will completely ignore news stories that take place in the regions inhabited by Indigenous or Afro-descendent Peoples or that relate to those communities, as Mestizos in the Pacific may not be interested in these stories. Thus, the media often reinforce discrimination promoted by the State. This contributes to the ideology of racism, demonstrated through lack of interest, and lack of coverage of processes and events related to autonomy. For Costeño youth this is due to the majority Mestizo population of the country that is not interested in the Caribbean Coast or in the people that live there.<sup>63</sup>

The media contribute to increasing and/or further hiding racism. The coverage of media uses Indigenous or Afro-descendent people that “speak Spanish” well. The information is biased toward themes that are sensationalist, including the approach of news that is oriented to the interests of the Mestizo population. One of the people mentioned the example the case of a panel in the national media where a businessman was covered more than an Indigenous leader who could not speak Spanish very well, where the reporter prioritized the business perspective over that of the community. There is national media source that has programs in Indigenous or Afro-descendent languages.

#### 5.4.8 The impact of racism on gender relations

The majority of people interviewed felt that all women regardless of their ethnic identity experience gender inequity and discrimination. However, they felt that gender discrimination is closely related to racism, since they both involve the dominant group (men/ Mestizos) placing limitations on others (women/Indigenous Peoples and Afro-descendents) based on discriminatory prejudices about their inherent attributes and abilities.

One of the most critical situations is the lack of access to positions of leadership in government. While there are some women in important positions at the regional and municipal levels, this is the exception rather than the rule. While women have as much capacity for leadership as men, men may use female colleagues to move ahead in their own careers, while preventing women from taking important management positions. Sexual harassment is also widespread, as women may be pressured to use their sexuality to advance in their careers. At the national level, there are few Indigenous or Afro-descendent people in important posts, much less women.

The participation of women in the Autonomous Regions has had different phases and levels throughout the process of autonomy.

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<sup>63</sup> Focus group of students in the RAAS, October, 2006.

- a) At the communal level. The traditional authorities in the communities have passed through a process of restructuring since the years of the war, and in some cases women have been able to get elected to positions of authority. There are women judges in neighborhoods and communities, community representatives and members of the Councils of Elders. As communal knowledge is valued by the community traditional healing has also been revalorized, including the participation of midwives.
- b) At the level of Indigenous and multiethnic territories. This is a space that is still limited to the participation of men. In the Indigenous territories of Biosfera Reserve of Bosawas, the Territorial Government of Rama, and others, there is participation of women, however their presence at activities considered politically important is still limited.
- c) At the municipal level. This is a field that is already occupied by women, in the past during the Somocista period, and since the municipal election in 2000 there has been more women candidates for mayor, vice mayor, and municipal council. Currently, the mayor of Puerto Cabezas is a woman.
- d) At the regional level. Women's perspective can be reflected in the following quotation of Nydia Taylor on the occasion of the Symposium on Autonomy in 2004, "Today we can say that the 4 autonomous governments have had the participation of women...and this is how we achieve the pluralism and equity that we proclaim so often...We need rates of participation of women to increase both in quality and quantity, that we see more decisions made in our governments that directly reflect the improvement of the lives of all Costeña women." <sup>64</sup>

Both Autonomous Regions have had women in the presidency of the Autonomous Regional Council (CRA). The RAAN has had a woman Coordinator of the Government in the term of 2000-2004, and women have presided over various commissions of the CRAs. Currently, there are women in consultative posts of commissions, and as legal consultants.

Patriarchal practices do not just prevail among Mestizos, but also many of the people interviewed felt that there is a strong machista ideology that persists in Indigenous and Afro-descendent communities. Traditionally, an Indigenous woman is charged with taking care of the children, cooking, cleaning, and attending to her husband. Many women in the communities are illiterate, as it has not traditionally been acceptable for them to study or to become professionals. Different studies<sup>65</sup> reveal that Indigenous women affirm that they, as women, have less value than men in their cultures, and that their contributions, abilities, and knowledge are devalued even within their own Indigenous cultures. What is worse is that they feel they have internalized their "low value" of their contribution. In the case of Indigenous Peoples, the concept of self-esteem is intimately

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<sup>64</sup> Taylor, N. 2004.

<sup>65</sup> Consultative workshops with Indigenous women from Guatemala, Panamá, Perú y Bolivia conducted for the Interamerican Development Bank, mentioned by Dixon and Gómez, 2002.

linked to the recognition of the recognition of their collective identity as a People,<sup>66</sup> and for Indigenous women self-esteem turns into striving to reach a state of completeness, that means among other things the enjoyment of integral health, living in a state of justice, and not negatively affecting others.<sup>67</sup>

Kriole women indicate that families have prioritized the education of male children that were those that had to be educated, because women were going to have children and get married and therefore needed to learn to clean and cook. A study (Wood, 2002) shows that domestic violence is mentioned as a problem and that the most violent person is the husband. One of the cases studies demonstrated that the husband would mistreat his wife if he found her taking contraceptive pills, “because of that I had all these,”<sup>68</sup> suggesting that the woman was not able to decide the number of children she wanted to have because the husband decided for her. Another case showed sufferings of a woman when she abandons her husband because she feels she has not fulfilled her responsibilities as a woman, “to be a good wife and good mother,” and that society would accuse her of not being able to maintain her husband, “because in addition to struggling with the fact of being black and ugly, I was scared to have to struggle also with the fact that my husband left me for not filling so other requirement [not being sufficiently good in bed].”<sup>69</sup> That is, if a man accuses his wife of not satisfying him sexually, the woman suffers from shame. Therefore, the Kriole women prefer to withstand the violence of the husband than to suffer the public humiliation that would be worse.

Wood (2002) concludes that many Kriole women suffer racial and sexual discrimination throughout their lives, and this has created a feeling of “resentment” in them as adults, and that sentiment has silenced them because it has contributed to them developing low self-esteem. In the Kriole culture the value of a woman is determined by her capacity to maintain her family unified, even when for this she has to sacrifice her personal interests in the face of a violent spouse. Normally, the two forms of discrimination go hand in hand and the most serious is the process of silencing them with resentment and low self-esteem that develops in them. The silence functions in two forms:

- As women they have been educated to not accuse someone who commits violence against them. The woman has the responsibility to maintain the family united and from childhood she has to pretend to be happy and tolerate the situation of violence. She will be respected to the extent that she maintains her family and assuring that her children grow up with their father.
- The impact of racial discrimination, as well as low self-esteem, is what silences her. Because of not being accepted both as Black and as a woman, she limits her own development. Wood (2002) suggests that it is difficult for a Black woman to be in peace with herself when the myth of the beauty contrary to her identity.

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<sup>66</sup> The term Indigenous People has been one of the fundamental demands of the Indigenous movement in the process of formulating international legal standards, because the juridical connotations that are used imply rights such as self-determination, collective communal property, and others. In the case of Nicaragua the term has been included in the Political Constitution in 1995 and recently in Law 445, the Law of Communal Indigenous Property.

<sup>67</sup> Dixon, et. al., 2002.

<sup>68</sup> Interview of Gladys by Wood, 2002.

<sup>69</sup> Interview of Ashanti, conducted by Wood.

Among the stereotypes that Indigenous and Afro-descendent women must struggle with is the fact that in the Pacific there is a perception that women from the Coast are promiscuous. Moreover, machismo is connected to racism even within families. Several people interviewed explain that given that the man has control over the family in the home, they prohibit their wives from speaking the mother tongue in the home or from teaching it to their children.<sup>70</sup> One problem is that many women in the communities do not challenge the machista culture, and therefore bear the burden of both poverty and ethnic discrimination.

In professional spaces, women also face discrimination from other women who belong to a different people or community. One person interviewed described a situation she had experienced in which a group of women was planning a workshop about women's human rights and someone argued that Miskitu women should receive more access to the training because they are the majority ethnic group in the region, not recognizing that this was discriminatory against women of other groups. Thus, in some cases Indigenous and Afro-descendent women perpetuate racism against each other rather than seeing it as their duty to create spaces of opportunity for all women. Some felt that Indigenous and Afro-descendent people, especially women, get accustomed to racism to the point that they no longer react to it when they experience discrimination. Instead, they internalize the discrimination they experience, which damages their self-esteem, and they end up limiting their own possibilities for achievement.

#### 5.4.9 Migration and racism

The situation of mobilization within and outside of the country has completely changed the demographic composition of the country. For example, in this context the Autonomous Regions have the character of receptors of the migrant population in search of national lands, such that the Mestizo population has grown disproportionately, with a proportional reduction in the Indigenous and Afro-descendent population. The advance of the frontier of agricultural and livestock production by Mestizo farmers has also had a detrimental effect on the existence and use of natural resources and the ancestral territories, threatening the economic, social, multicultural, and political viability of the Autonomous Regions.<sup>71</sup>

The local population has also been a part of the wave of migration. There are urban centers that have changed in their composition. Instances of interethnic conflict have been reported, as in the case of Corn Island. Contrary to the rest of the multiethnic population of the Caribbean Coast, there has been a migration of the Kriole ethnic community toward the Pacific region, or out of the country, principally to the United States and Costa Rica. The majority of youth that leave to work on tourist cruise ships belong to the Kriole ethnic

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<sup>70</sup> Focus group of human rights organizations, Bilwi, October, 2006.

<sup>71</sup> UNDP, Human Development Report, 2005, 60.

group. Data from INEC from 1999 show that 19.7% of urban homes and 13% of rural homes in the Caribbean Coast receive remittances from outside of the country.<sup>72</sup>

In the case of youth that relocate to study in the Pacific, the perceptions from their contacts are that racism is hidden but that it occurs in different senses. The government forgets Indigenous and Afro-descendent communities, believing that they are isolated communities, and that at the time of decision-making they are not taken into account by the government because they do not have representation. There are two totally divided economies, but one is exploited to the benefit of the other.

Costeños living in the Pacific are criticized for their dress, culture, language, and above all, their accents. “We are categorized as witches or only capable of certain activities like sports like basketball or traditional dances like the ‘may pole,’ and many Mestiza families consider Costeño youth lazy, we have really internalized those commentaries and we think that it is normal to not say anything about it.”<sup>73</sup> There is also ignorance with respect to Costeño communities and their cultures, since many people believe that the cultural diversity only consists of Blacks and Miskitus.

In the universities, some students feel isolated by their classmates because of having different opinions or ways of thinking, or because they do not fit into any particular social circle. Afro-descendent women in particular feel they are labeled as sexual objects and in many recreational centers they are labeled as sex workers. “Racial discrimination happens throughout the country. One time I was in metrocentro [shopping center], it was my first time, and I didn’t know how to use the elevator. When I asked for assistance, a Mestizo adult told me, ‘It’s not my fault that you are Miskitu.’”<sup>74</sup> In the Pacific there is also the perception that Costeños in general are related to drug trafficking and the high crime rate in the capital.

In a focus group of journalists in Managua, one person remarked, “We from the Pacific see people from the Caribbean Coast as another country, like people who are totally different, not just because of color but because of culture, because here in the Pacific are the majority of Catholics and that was an imposition on the colony, but that they have customs that are totally different. So in those things they differ, in language, customs and rituals, and in their ways of life, because over here we have more possibilities than them over there, where they are very socially limited and they haven’t been able to develop.”<sup>75</sup>

#### 5.4.10 Advance of the agricultural frontier

The agricultural frontier is a topic of great controversy in Nicaragua, as Costeños feel that it is illegal and unjust to deprive them of what belongs to them by right and tradition. They feel a great loss of flora, fauna, soil, and quality of life in general. The result of this process is seen clearly reflected in the fact that within their own region, Indigenous and Afro-descendent Peoples are reduced to minority groups due to the traffic of land and

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<sup>72</sup> UNDP, Human Development Report, 2000.

<sup>73</sup> Tania Navarro, Kriole student of tourism in Managua, Interview, October 2006.

<sup>74</sup> Marcos Ramírez, Miskitu student in International Relations in Managua, Interview, October 2006.

<sup>75</sup> Focus group of journalists, Managua, October, 2006.

the exploitation of natural resources, which has created a series of interethnic conflict because of the lack of land.

Costeño youth feel that this process is in addition to being a colonizing migration, is an expression of racism promoted by the Central Government because of the lack of legal mechanisms to impede farmers from other regions to appropriate communal lands, which is contrary to Law 445 and the Autonomy Statute. They also believe that there should be rules adapted for the Indigenous and Afro-descendent communities, as there is not financial or administrative support from the Central Government to address this situation.

With respect to the different types of internal colonization, many believe that Costeños should unite and fight for what is theirs, making reference to the topic of the agricultural frontier, “It is our now, because before it belonged to our ancestors, and since if we don’t take care of the land, no one will.”<sup>76</sup> However, they think that it is difficult to fight against people who have economic power, that the government makes decisions about their communities without consulting them, and that they are unable to fight against a superior power. The authorities in the Autonomous Regions agree with this statement:

“The agricultural frontier is nothing more than the results or actions the government has implemented to destroy communal property. It is a colonialist expression by the power of large companies toward those people who are in the [autonomous] region, greatly affecting our community because our children are obligated to leave our lands, the majority look for ways to work on tour boats, losing our love for the earth and the sense of belonging.”<sup>77</sup>

The law of territorial demarcation is seen as a threat because it directly threatens some Costeños. In Bluefields there is a movement on the part of Nueva Guinea, “in addition to being a minority in our region we occupy 25 percent of the territory, those that are coming here are Mestizos, and according to the Law 445 they should be given third priority to the land, but that’s not the case.”<sup>78</sup>

## 5.5 Manifestations of ethnic discrimination in the economic sphere

In the economic sphere, manifestations of racism have been identified in the following areas: racism and poverty; inequitable budgetary distribution; lack of access to credit; discriminatory labor policies; growing threats to the natural and collective patrimony; imposition of a development model; and free-market economies.

### 5.5.1 Poverty and racism

One of the phenomena most linked to racism is poverty. Indigenous and Afro-descendent families often have a low socio-economic status compared to Mestizos. The relationship between poverty and ethnicity coincides with regional tendencies. According to the map of poverty, the rural Caribbean Coast region is among the most impoverished of the country, occupying the second and third place with about 83.6% of the population

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<sup>76</sup> Cindy Joseph, Ulwa student in Community leadership from Karawala, Interview, October, 2006.

<sup>77</sup> Lucí Solís, Garifuna professional and social promoter, Interview, October, 2006.

<sup>78</sup> Lucí Solís, Garifuna professional social promoter, Interview, October, 2006.

being poor. As in Managua, Indigenous and Afro-descendent Peoples are stereotyped by some residents of León in a way that relates them to poverty, “many people here assume that Costeños are poor and if they money then they are narcos [drug traffickers], and many people here are afraid of Blacks, because a stereotype has been created that they are lazy and commit crime.”<sup>79</sup>

#### Percentage distribution of poverty by Indigenous People and Ethnic Community

Indigenous People/Ethnic community	Extreme poverty (%)	Poverty, not extreme (%)	Total poverty (%)	Not poor
Mestizos of the Pacific	14.17	29.61	43.78	56.22
Mestizo Costeño	17.77	28.96	46.73	53.27
White	9.36	29.51	38.87	61.13
Criollo	27.84	32.09	59.93	40.07
Creole/Black		35.24	35.24	64.76
Miskitu	22.05	54.27	76.32	23.69
Sumu-Mayangna	14.72	36.36	51.08	48.92
Rama		62.05	62.05	37.95
Other		39.95	39.95	60.05
Unknown	20.86	44.77	65.63	34.38
Total	15.05	30.78	45.83	54.17

Source: EMNV, 2001.

The results of the 2001 Surveys Measuring Standard of Living (EMNV) placed Miskitus, Criollos (Afro-descendent), Rama, and Sumu-Mayangna among the segments of the population with the highest poverty. In the Autonomous Regions 61% of the population lives below the national poverty line, with 25% living in extreme poverty. Twelve of the 19 municipalities in both Autonomous Regions are classified as extremely poor and the regions present a poverty gap of higher than 37%. Only 11% of the rural homes in the RAAN and 21% in the RAAS have access to clean water, and 34.8% of children under five years of age in the RAAN suffer a delay in growth.

	Poverty	Extreme poverty
National	46 %	15%
Autonomous Regions	61%	20%

Source: World Food Programme. VAM. Study on food security and means of living in the Atlantic Autonomous Regions, 2005.

The regions of Nicaragua with a majority Mestizo population have higher levels of development, and more presence of institutions and social services. One of the problems,

<sup>79</sup> Heidi Dalila Montez Téllez, student in accounting from León, Interview, October , 2006.

however, is the little available information<sup>80</sup> that reveals conditions of impoverishment, dispossession, marginalization and vulnerability that Indigenous and Afro-descendent Peoples experience, has conceptual limitations since there is no structural analysis of the causes of poverty and they reduce Indigenous issues to a matter exclusively about deficiencies, considering them as a differentiated ethnic condition, which in reality have more to do with relations of power and exploitation of certain groups over others.<sup>81</sup> This situation impedes the ability to put forth evidence of the asymmetries with regard to access to development for Indigenous Peoples and Afro-descendent communities that have to do with differences beyond socio-economic factors, and instead reinforces the ethnic subordination.<sup>82</sup>

The available socio-economic indicators do not permit the full elaboration of the concept of well being from the vision of Indigenous and Afro-descendent Peoples, such as: the system of spiritual relationships, socio-environmental equilibrium with the land, and daily life based on the cosmovision and Indigenous knowledge; the integral approach (land, ceremony, harvest-production, exchange-economy-market, solidarity, reciprocity, training, celebration); traditional forms of administration of justice, legal security, and exercise of rights (bodies, family, community, life, territory, communal harmony) with respect and dignity; guarantee of own forms of production of food articulated with new technologies, linked to the right and use and enjoyment of the land, territory and resources; and recognition of the forms of communal organization and governance. The absence of this vision of Indigenous and Afro-descendent cultures impedes the formulation of proposals that incorporate the vision of development of these Peoples.<sup>83</sup>

Despite the legal recognition of Indigenous Peoples and Afro-descendents, they continue to be impoverished, due mainly to the policies of marginalization and discrimination implemented by the Central Government that bring about levels of human development at 0.445, the lowest of the country. The levels of unemployment reach 90%, the life expectancy is 68 years at birth, and the maternal mortality rate exceeds 362 per 100,000 births. Of the 5,398 schools in the country, only 361 of them are found in the Caribbean Coast region, and the illiteracy rate exceeds 50%.

The coverage of potable water in the Autonomous Regions is only 20.1%, compared to Matagalpa that has 65.1% coverage and 69.5% in Chontales, which are adjacent departments. Of each 100 inhabitants in the Coast region, only 0.7% has access to phone service and with respect to transport, the RAAN does not have a single kilometer of paved highway, and the RAAS has hardly 80.2 kilometers on the highway to the city of Rama. The rest of the country has a road network of 19,137 kilometers.

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<sup>80</sup> This refers to the general situation in many countries where there are data that are partial and difficult to use for analysis because of the absence of information disaggregated by ethnicity.

<sup>81</sup> The 2005 UNDP Guatemala Human Development Report concludes that more than 80% of the Indigenous population is in the low and extremely low economic strata.

<sup>82</sup> UNDP, Human Development Report, Guatemala. 2005.

<sup>83</sup> It is enough to see the example of having work vs. survival from the Indigenous point of view. The Indigenous development approach is integral and based on values like maintenance and development of traditional knowledge, cultural expressions, practices of territorial governance and systems of management, among others.

This situation of systematic impoverishment contrasts to the riches generated by the Autonomous Regions and their actual development potential. The Caribbean Coast has 541 kilometers of beach and an extensive continental shelf in its marine bed. It contributes to 50% of the national annual volume of products from the sea and has an important strategic potential for hydrocarbons. The large rivers that flow into the Caribbean can be a source of hydroelectric energy with capacity to supply Nicaragua and other Central American countries with energy. 70% of the forest mass found in the country is in the Autonomous Regions, which is 5.9 million hectares of vegetation, able to generate USD 254 million annually. The mining triangle area (Bonanza, Siuna, and Rosita) continues contributing to the national economy.

This affects all the other indicators of well being, including access to food and clothing, clean water, housing, education, and health care.

### 5.5.2 Inequitable budgetary distribution

One of the types of discrimination is the lack of resources to fulfill the constitutional precepts relating to the rights of Indigenous Peoples and Afro-descendent communities. The State does not have criteria of allocation of budgets that take into account the particularities and needs of Indigenous Peoples and Afro-descendent communities. In the Autonomous Regions the budget is determine based on annual negotiations.

Budgetary Funds Approved for the  
Regional Governments and Regional Councils 1998 - 2004<sup>84</sup>

Year	RAAN			RAAS		
	General Expenditures	Capital Expenditures	Total	General Expenditures	Capital Expenditures	Total
1998	11,419	0	11,419	11,419	0	11,419
1999	12,964	3,400	16,634	12,367	8,400	20,767
2000	15,669	12,766	28,435	12,838	14,848	27,686
2001	21,205	16,538	37,743	18,333	13,268	31,602
2002	24,789	18,211	43,000	23,037	16,404	39,441
2003	26,300	20,000	46,300	20,650	15,000	35,650
2004	25,914	20,000	45,914	20,418	15,580	35,998

Expenditures are in thousands of Córdoba.

Source: MHCP – Law on Annual of General Budget of the Republic 1998 – 2004.

<sup>84</sup> Wani, Mattern. 2003

One of the central elements in the discussion of the process of decentralization has been the budget. The principal arguments used by the Central Government to impede decentralization to the Autonomous Regions have been: the lack of institutional capacity, the conceptual contradictions in the legal framework between Law 290 and Law 28,<sup>85</sup> the institutional crises of regional authorities, the commitments of the national State to international financial institutions, and the private investments in the use of natural resources in the Autonomous Regions. In this sense, negotiations with the Central Government have been framed in promoting the processes of administrative deconcentration of the national institutions to the Autonomous Regions, as a counterproposal to decentralization.

At the same time, the principal concern defined by the Central Government has been the incapacity of the Autonomous Regions in establishing mechanisms of financial sustainability to fulfill its various responsibilities and duties that would derive from decentralization.

In addition to the fact that the State does not allocate resources to fulfill the approved human rights, an additional factor that contributes to economic inequality, especially in the Autonomous Regions, is the fact that prices of goods are generally higher than those in the Pacific. Among the factors that make prices higher are the cost of transport to remote areas over longer distances; losses sustained by distributors of perishable goods in the course of traversing roads in poor condition; and the limited supply of certain products for which there is a high demand.

### 5.5.3 Lack of access to credit

The lack of access to employment that is faced by many Indigenous and Afro-descendent people is perpetuated by the limited possibility of obtain credit to make it more feasible to starting a business, which creates monopolies on goods and services in the regions. The majority of companies or businesses in the Autonomous Regions belong to people that have migrated from the Pacific, while small business owners who are poor and Indigenous are not granted credit because they do not have access to collateral. In fact, some people interviewed commented that just by virtue of being from the Autonomous Regions, banks do not grant them access to loans. Those who already have access to capital also have greater access to credit, further reinforcing the economic hierarchy. This situation also facilitates businesspeople from the rest of the country to exploit natural resources in the Autonomous Regions, since they have greater financial capacity. The few micro-lenders that offer loans in the regions have high interest rates, which make the situation even more difficult.

### 5.5.4 Discriminatory labor policies

Discrimination is also evident in the hiring of personnel in institutions. Even though a candidate may be qualified for a management position, he or she may not be

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<sup>85</sup> In the case of education, the contradiction the Law of Educational Participation and the SEAR.

given the job for reasons of appearance, dress, or accent. For example, if Spanish is not the person's first language, the company or agency may discriminate against a candidate, especially if he or she is from the Caribbean Coast. This is not only a form of discrimination practiced by Mestizos, as Indigenous and Afro-descendent people may deny opportunities to each other. Furthermore, there is inequality in levels of salary, as someone in the Autonomous Regions may be paid less than half the salary of someone who holds a comparable post in Managua.

#### 5.5.5 Growing threats to the natural and collective patrimony of Indigenous Peoples and Afro-descendent communities

The pattern of use of collective natural and cultural patrimony of the peoples tends to aggravate the level of impoverishment, as there is a growing tendency toward migration and urbanization, affecting the demographic composition, the process of structurization of the communities and of the articulation of social fabric, identity, and belonging. While the population and the number of settlements is increasing, which do not cease to build themselves, the demand for basic services is overflowing, and the implementation of measures to try to stop the structural distortions in the distribution of the population and the protection of natural resources is becoming more difficult. In this context, there is a growing pattern of territorial conflicts, not just with the State, but also with Mestizo settlements and landowners.

Indigenous Peoples and Afro-descendent communities have confronted and continue to confront the denial of their rights and the destruction of their systems of life. They continue to be displaced from the zones of production with water or with deposits of hydrocarbons, or from areas with mining in metals and non-metals, from forests and rainforests, and in general, from the areas with greater biodiversity.<sup>86</sup>

New conflicts are also generated in Indigenous and Afro-descendent areas identified for mega projects and touristic projects. Forced migration has increased because of poverty and unemployment, particularly affecting women. One of the most extensive forms of discrimination is related to the access to territorial land rights. The construction of property rights in Nicaragua throughout history has created a situation in which various sources of rights coexist: the rights given up by the State, the rights acquired through the possession of land for a given time period, and the communal property rights of Indigenous Peoples.<sup>87</sup> The regimen of communal property has its foundations in rights before the European conquest and the before the control of the Nicaraguan State over Moskitia.

In the case of the Indigenous communities of the Pacific and Central-North, there are significant problems in the handing over of titles on communal lands. For example, in Sebaco, they assess that they have communal control over 43,000 manzanas and there are still some pockets of land in conflict. The lease tax that the Indigenous communities charge

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<sup>86</sup> The creation of "ecological reserves" frequently is carried out in detriment to the Indigenous Peoples and Afro-descendent communities living in them.

<sup>87</sup> General conclusions of studies on ownership of land in Nicaragua, IRAM.2000.

in those communities varies according to the type of land. In the case of the Indigenous community of Sutiaba, the lease tax generates resources for basic social services and infrastructure projects.

The traditional patterns of use and occupation of territory in the Indigenous communities of the Autonomous Regions generate customary systems of property, created by Indigenous practices and norms that should be protected and that qualify as rights of property protected by national and international legislation. The concept of property can consist of shared control or in rights to access and use, according to the customs of the Indigenous communities.

The lack of recognition of the equal rights of property based in the Indigenous tradition is contrary to the principle of non-discrimination in the Political Constitution of Nicaragua. This indicates that since the moment that the Political Constitution of 1987 and the Law of Autonomy, which determine that Indigenous Peoples and ethnic communities have the right to recognition of property and control that they have exercised over the land, were adopted, Indigenous Peoples can be considered full proprietors of the land, and if they do not have written titles they can certify their ownership through other means.

In the case of the Autonomous Regions, despite the fact that Law 445 was approved, the advance of the legalization of Indigenous territories has been slow and in the only cases approved by CONADETI, the Central Government has set a seriously flawed precedent registering territory as national land to make the title effective. Such a procedure violates national legislation and contradicts the arguments of the ruling of the Inter-American Court of Human Rights in the case of *Awas Tingni vs. Nicaragua*.

#### 5.5.6 Imposition of a development model

Poor Indigenous families are also discriminated against for their limited access to education, and generally are perceived as “ignorant,” “backward,” or “savages,” by people in the Pacific that are considered more “developed” and “modern.” Moreover, while some Miskitus have gained increased influence in the RAAN, there are still very few Mayangna professionals and so Mayangnas have the highest rates of illiteracy, poverty, and less integration with other peoples and communities. One person interviewed felt that because of this the communities are often “abandoned,” and that professionals should put more effort into communicating with people in the communities and helping to generate more possibilities for economic development.

#### 5.5.7 Free-market economies

Students in León believe that the most notable expression of current external colonization is the Central American Free Trade Agreement (CAFTA), that is a step in the process of economic globalization, and implies the uprooting of cultural and traditions not just for people in the community of Sutiaba but also those of the Caribbean Coast and the rest of Nicaragua. It also implies an effort that is imposed by the Government on

Indigenous and Afro-descendent communities since they are seen as obligated to integrate themselves in the process, rather than the processes adapting to their needs.

With respect to the new forms of external colonization, municipal authorities felt that Costeños are not prepared for such processes and the lack of interest of the Central Government, which ignores the Indigenous and Afro-descendent communities, is also racist. In addition, they remarked that Costeños really want to be united with the free trade agreement of the Caribbean (CARICOM). The government does not provide conditions for those processes of trade, which is why the resources like fishing cannot be used to the fullest, and therefore the Coast cannot compete because it has neither the capacity nor the technology without the support of the government. It is necessary to promote discussions and reflection on localization, which is understood as the different relationships that must be established and strengthened in the face of globalization, which can manifest as the last stage of colonization. Thus, Costeños must involve themselves more in the processes of globalization.

## 5.6 Manifestations of ethnic discrimination in the juridical-legal sphere

In the juridical-legal sphere, manifestations of racism have been identified in the following areas: recognition and exercise of human rights; limitations on the exercise of autonomy and self-government; limitations on access to justice; and racial profiling and ethnic stereotypes.

### 5.6.1 Recognition and exercise of human rights

It is widely recognized that Nicaragua has an advanced legal framework with respect to the recognition of the rights of Indigenous Peoples and Afro-descendent communities in the Autonomous Regions. This, however, is limited in relation to the rights of Indigenous Peoples of the Pacific, Central, and North regions of the country. In the case of the Autonomous Regions, not only does the Political Constitution recognize the State as multiethnic, but there is also legislation about autonomy in the Caribbean Coast (Law 28), the Law of Official Use of Languages of the Communities of the Atlantic Coast of Nicaragua (Law 162), and the Law of the Communal Property (Law 445), among others.

The recognition of the collective identity of Indigenous Peoples is written in the Political Constitution and the Autonomy Statute of the Communities of the Caribbean Coast, however it is in Law 445<sup>88</sup> where it is defined that an Indigenous People is “the human collective that maintains a historic continuity with societies before colonialism, whose social, cultural, and economic conditions distinguish them from other sectors of national society, and whom are governed totally or partially by their own customs and

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<sup>88</sup> In the case of the Autonomous Regions understood under the term Indigenous Peoples are the Miskitus, Sumu-Mayangnas, and Rama, and under the concept of ethnic communities are the Afro-Caribbeans (Krioles and Garifunas) and Mestizo communities. In the case of Law 445 only the Afro-Caribbean communities are referred to when mentioning ethnic communities. Law 445 is the Law of the Regimen of Communal Property of the Indigenous Peoples and Ethnic Communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and the Coco, Bocay, Indio and Maiz Rivers, approved in December 2002 by the National Assembly.

traditions.”<sup>89</sup> The Afro-descendent communities also are defined by that law under the denomination of “ethnic community,” understood to be “the combination of families of Afro-Caribbean ancestry that share the same ethnic consciousness, through their culture, values, and traditions linked to their cultural roots and forms of ownership of land and natural resources.”<sup>90</sup>

Article 5 of the Political Constitution establishes as a principle of the nation the ethnic pluralism and the recognition of the existence of “Indigenous Peoples,” for whom special rights are established, such as “maintaining and developing their identity and culture, having their own forms of social organization, administering their local affairs, maintaining their communal forms of ownership over their lands and the enjoyment and use of those lands.” In this same article, the Political Constitution states that the communities in the Caribbean Coast have the regimen of autonomy.

The impact of racial discrimination in the area of the protection of human rights is significant. There are various non-governmental organizations dedicated to the protection and promotion of human rights, but the population perceives that many times their ideas are more discourse than practice. Moreover, in spite of existence of various organizations to protect human rights of Indigenous Peoples, Afro-descendents, women, and children, or other marginalized groups, one person interviewed called attention to the fact there is no organization whose mission is to combat racism and discrimination. Unfortunately, racism is rarely discussed, much less a central focus in the programming of these organizations.

The Office for the Defense of Human Rights has an institution with the specific mandate of protecting the rights of Indigenous Peoples and Afro-descendents. Its functioning has been limited and the last few years its sphere of influence has been reduced. After the Third UN World Conference Against Racism and Racial Discrimination in Durban in 2001, the Office of the Defense of Human Rights tried to define a National Program for the Fight Against Racism as an intersectoral process, which did not arouse interest from the State administration and did not move beyond just good intentions.

### 5.6.2 Limitations in the exercise of self-government and autonomy

One of the instruments created by the State for the exercise of the rights of Indigenous Peoples and Afro-descendent communities is the regimen of autonomy in the Caribbean Coast. The model of multiethnic autonomy in Nicaragua grows out of two sources: the international theoretical and practical advancement of collective rights of Indigenous Peoples, especially the right to self-determination,<sup>91</sup> and the process of reform and modernization of the State that promotes decentralization.<sup>92</sup>

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<sup>89</sup> Law 445 also defines Indigenous communities as the combination of families of Amerindian ancestry established in a territory space that share sentiments of identification linked to the passed aborigin of their Indigenous People and that maintain their own identity and values of a traditional culture, as well as forms of ownership and communal use of the lands, and their own forms of social organization.

<sup>90</sup> Article 3, Law 445, Government of the Republic of Nicaragua. La Gaceta No. 16, Diario Oficial, 23-01-2003.

<sup>91</sup> See Díaz Polanco, Rivera V. and the Project of the UN Universal Declaration on the Rights of Indigenous Peoples; and the Ruling of the Inter-American Court of Human Rights in the case of *Awas Tingni vs. Nicaragua*.

<sup>92</sup> Mattern, J. 2003. and Rizo, M. 1997.

In that context, autonomy is conceived as a form of exercising the right to self-determination, as indicated by the project of the UN Declaration on Rights of Indigenous Peoples in Article 3, in explaining that, “Indigenous Peoples, as a concrete form of exercising their right to self-determination, have the right to autonomy or self-government in internal and local matters, especially culture, religion, employment, social well being, economic activities, administration, territory, resources, environment, and access to those who are not members of the group, as well as the means to finance these autonomous functions.”

The process of reform, modernization and decentralization of the State has been an opportunity for the institutional development of the Autonomous Regions; however, progress has been slow. Among the greatest gaps is the absence of a national policy of decentralization that goes beyond the single approach of the municipalities that prioritize the Central Government and the international cooperation and technical assistance agencies, and incorporates authority at the level of the Autonomous Regions. That policy should consider the proposals from the Autonomous Regions of articulating the transfer of responsibilities, functions, and resource in the political, administrative, and fiscal-financial areas.<sup>93</sup> For various reasons of financing, administration, and technical support, the legal provisions have not been fully implemented, and therefore they have been insufficient to protect Indigenous Peoples and Afro-descendants from racism and discrimination.

The installation of Joint Commissions at the root of the approval of the Regulation of Law 28 in July 2003 tested the beginning of the parallel processes of negotiation for the decentralization in the framework of autonomy. The legal framework by itself has not guaranteed the development of respectful relations between the regional and central authorities.

#### Decentralization and Autonomy <sup>94</sup>

RAAN	RAAS	Comments
Joint Commission on Health	Joint Commission on Health	Formed as part of the discussion of the General Health Law Implementation of the Health Model in the RAAN and Formulation of a Proposal for the RAAS Decentralization of Health to the Regions Function in coordination
Joint Commission on Education	Joint Commission on Education	Formed as follow-up to the implementation of the Autonomous Regional Educational System in 1997 Follow-up to the implementation of the Program in Bilingual and Intercultural Education and the Sub commission on Curricular Transformation in the Autonomous Regions Process of decentralization of education to the Regions Function in coordination Agreement of intent established between regional authorities and the Ministry

<sup>93</sup> Mattern. (2003).

<sup>94</sup> Regional Council of the North Atlantic Autonomous Region, Management Report of the CRAAN Commissions., 2004.

		of Education
Joint Commission on Environment	In formulation	Formed after the approval of the Regulation of the Autonomy Law. Follow-up to the implementation of decentralization to protected areas in the region and definition of an administration strategy in Protected Areas
Joint Commission on Production	Joint Commission on Production	Established in accordance with MAGFOR, with the participation of IDR< INTA, INAFOR, MIFIC Combined work plan for both Autonomous Regions. Follow-up on investment in the Regions. Promotion of proposals from the Autonomous Regions
Commission on the Follow-up of Emergency Transport and the Regional Council on Transport	Regional Council on Transport	In the RAAN: follow-up on the mandate of CRAAN Resolution to solve the roads crisis at the end of 2002 Municipal mayors of the Region participate, MTI, programs of external cooperation Institutionalized in the framework of PAST-DANIDA. Promotion of maintenance plan of the roads and investment in infrastructure of the region In the RAAS: coordinated by the Municipal mayor's offices of the RAAS Participation of the Region with low profile.  Institutionalized in the framework of PAST-DANIDA.

Source: Council of the RAAN, 2004.

In the case of the Indigenous communities of the Pacific and Central-North the territorial right and establishment of mechanisms of control of those resources is a form of exercise of self-government. The resources generated from the lease taxes are used to improve the standard of life for the population.

### 5.6.3 Limitations on access to justice

Language is a central theme in relation to access to justice, given that the majority of personnel in the administration of justice are from the Pacific region. The majority are Mestizos that only speak Spanish, which presents a distinct disadvantage for the Indigenous and Afro-descendent people who cannot plead their cases in their mother tongue. For example, in the RAAN, only one of five justices is not Mestizos in total. Translation from other languages takes additional time and money, making it less likely that judges will spend the time that is necessary to assess these cases fairly. In addition, there are judges who discriminate by devoting less attention to the cases of people who are of different ethnicities from themselves.

Another consideration in the application of laws to protect the rights of Indigenous Peoples and Afro-descendent groups is the subjectivity of legal interpretation. The same laws that can be used to protect ethnic communities could also be used to their disadvantage if the culture and customs of that community are not fully taken into account. One person interviewed gave the example of laws that are designed to protect and conserve the natural resources on the lands of Indigenous Peoples. If the Indigenous

communities are constrained in their access to those resources, however, this could be endangering a source of livelihood on which they have always depended.

One interviewee also noted that, “Our culture has its own way of resolving its problems—the customary [laws] that come from the traditional customs of our ancestors. In our communities we have our way of resolving problems, [yet] this is not recognized nationally because of discrimination against our culture.”<sup>95</sup> That is, the State determines how the laws are written and implemented, which is according to a vision that originates in the Pacific. Thus, the laws are applied by lawyers and judges from the Pacific in ways that are outside of the culture, customs, and visions of Indigenous and Afro-descendent communities that do not take into account how traditional judges and lawyers in those communities apply traditional law.

The Statute of Autonomy, or Law 28, in Article 18 establishes that the administration of justice in the Autonomous Regions is governed by special regulations that reflect the cultural peculiarities of the communities of the Caribbean Coast in conformity with the Political Constitution of Nicaragua. This right 1 chapter IV of the Regulation of Law 28, Article 33 says, “The communal authorities administer justice within communities and between communities, in conformity with their customs and traditions.”

In the Regions the administration of justice from the State is integrate by Appellate Courts (TACAN),<sup>96</sup> district judges,<sup>97</sup> that attend to the penal and civil-labor issues, and local judges in the municipal heads of both Autonomous Regions. Some of the limitations for its effective application are geographic dispersion, adequate to attend to urban areas, lack of knowledge of the positive right in the communities, and weak coordination between systems of administration of justice.

In the communities the organization of administration of justice takes place through a collective<sup>98</sup> elected annually by members of the Communal Assembly, which is the highest decision-making body. The system is purely oral and its actions are public. It is important to note that the practices on the customary rights change from one community to another,<sup>99</sup> according to the customs and traditions that have been acquired and transmitted from generation to generation. Among the closest communities are found in the urban centers and particularly if they have access to the State system of justice, the referral of

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<sup>95</sup> Benalicia Lucas, School director in Bilwi, Interview, October, 2006.

<sup>96</sup> Rizo (1991) indicates that through Decree 1153 of the Supreme Court of Justice (CSJ), in spite of creating Appellate Courts in the Special Zones 1 and 2, jurisdiction was taken away from the RAAN and moved to the 6<sup>th</sup> region (Matagalpa), including through Decree 1045 of the Governing Council of National Reconstruction (JGRN) of 22 April 1982, it was determined that above the local judges of the municipalities Siuna y Bocana de Paiwas in the hierarchy were the judges of the district of Matagalpa y Boaco. Not until 16 January 1999 was the Appellate Court established in the RAAN. In the case of Bluefields it was instituted in 1920.

<sup>97</sup> In Siuna, Puerto Cabezas, and Bluefields.

<sup>98</sup> Cunningham and Téllez (2004) identified the following structures of administration of justice in the communities of Wawa Bar, Sisin y Saupuka: Wawa Bar: “wihta”, substitute judge, and communal police; Saupuka (wihta, substitute judge and communal police) and en Sisin, wihta, substitute, a secretary, four elders, three police, and three in charge of natural resources.

<sup>99</sup> Ibarra, Clarisa. Opcit., 12.

crimes deemed serious to the local judge will be better.<sup>100</sup> One of the manifestations of discrimination is the influence of political parties in the election of “wihtas,” which has contributed to the politicizing and affecting the impartiality of the communal justice system.

#### 5.6.4 Racial profiling and stereotypes

Another overt form of discrimination is the orientation of justice by racial profiling and stereotyping. Mestizos from the Pacific often believe that people in the Autonomous Regions are backward and uncivilized. The belief still prevails that Indigenous and Afro-descendent people are a violent group, that they traffic drugs and are depraved. One person interviewed described the example of airports, where people of color from the Caribbean Coast are more often suspected to be transporting drugs than Mestizos from the Pacific because they are perceived and categorized differently. “I had the experience when I traveled to Managua, and the Mestizos see that you are Black or Indigenous and they want to check you, they believe that you are carrying drugs, but they don’t search Mestizos coming from the Coast.”<sup>101</sup> Even if an Indigenous or Afro-descendent airline passenger is a well-respected leader in the Autonomous Regions, that person will be searched while someone who is Mestizo will be allowed to pass without any bother. There are many prejudices that associate people with drug trafficking or crime, and when the officials see a Black person, for example, it is more evident than an Indigenous person who may pass unnoticed as any other Indigenous person from the Pacific. This prejudice is reproduced through the media, which associated Indigenous and Afro-descendent people with crime, and have been known to comment, “drugs circulate in the Coast like Córdoba.”

Some students who relocate to the Pacific from the Autonomous Regions to study have problems finding housing since people think that because they are from the Coast they will create a place for drug dealing. There are other prejudices that label people from the Autonomous Regions, like that they are involved with witchcraft like putting a toad in your belly, or that they are lazy.

#### 5.7 Manifestations of discrimination in the political sphere

In the political sphere, manifestations of racism have been identified in the following areas: unequal relations with the State; lack of access to State posts; and limited political participation.

##### 5.7.1 Unequal relations with the State

“The different structures of the State reproduce the ideology of racism in the various stages of colonization by insisting that we respect and celebrate the national Independence Day, when those

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<sup>100</sup> In a study conducted by IEPA-URACCAN (2001) in the community of Llano Norte of Puerto Cabezas, murders were identified as serious crimes.

<sup>101</sup> Carla Bush, Kriole sociologist, Interview, October, 2006.

from the Pacific know that we had different periods of colonization and they don't celebrate our day of independence, they want us to recognize their heroes and martyrs." <sup>102</sup>

This expression of one person interviewed reveals the relationship of imposition that is maintained between the Indigenous Peoples and Afro-descendants and the Nicaraguan State. Some of the interviewees considered that the State structures maintain colonial institutions intact.

The inhabitants of the Autonomous Regions consider the situation of racism in the political sphere particularly grave. The situation of subordination promoted through the paternalist and clientelist policies have shaped a condition that makes citizens wait for the government to provide solutions to social and economic problems that they face, generating a high degree of generalized skepticism and frustration, since they perceive that the government is not helping to improve their life conditions.

Furthermore, many citizens prefer not to have contact with functionaries of the government because of bad experiences they have had with politicians. Therefore, given the form in which racism is entrenched in political System, what one finds is an extremely limited degree of participation in the design of policy or the exercise of civic duties. Instead, while in the political discourse politicians mention genuine democracy and participation as characteristics of the Nicaraguan state, in practice the majority of the people interviewed felt that this is more rhetoric and not representative of the reality. As much at the regional level as at the central, the politicization of public management and ethnic divisions continue to affect development.

Some youth in León also felt that the government has been inefficient in creating adequate conditions for Indigenous Peoples and Afro-descendants to influence in different sectors of their surroundings, especially in political participation and economic decisions, "the highways, housing, food, and it is difficult to take initiative for the community of Sutiava because they do not have conditions to do it. The ideal would be that the government come and see how the people are living, the type of social organization they have, and that the community is involved in the decision-making, they already feel discriminated against and there is not an environment to be able to develop themselves."<sup>103</sup> The State has not considered the form of organization of the Indigenous and Afro-descendent communities in the decision-making mechanisms. They have not involved elders and traditional authorities in the organization of the State.

#### 5.7.2 Lack of access to State posts

The discriminatory practices have significant impact with respect to the access for Indigenous peoples and Afro-descendants to key positions in State institutions. From running for elected office, to securing appointments as public functionaries, to even administrative positions, affiliation with a certain political party often carries more weight than a person's education or professional qualifications. One woman commented that, "As

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<sup>102</sup> Mayor of Bluefields, Interview, October, 2006.

<sup>103</sup> Alejandro Mendoza Martínez, Sutiava youth, student in Biology in León, Interview, October, 2006.

a mother it is difficult for me because we work hard to send our children to study in Managua, to get lots of schooling, but then they come back [to Bilwi] and can't find jobs."<sup>104</sup> Political affiliation also extends beyond party membership to include access to personal contacts that can be used to elevate one's status in a political apparatus, and in many cases these personal networks are established along lines of ethnicity.

Moreover, ethnicity can often determine the credibility that one is afforded by colleagues or constituents, as Mestizos may be perceived as more competent than Indigenous or Afro-descendent people, regardless of their actual qualifications. In many instances, candidates (especially women) who are of an ethnicity less favored by a certain party are relegated to spots on the ballot in which it is virtually impossible to win.

Racism toward Indigenous Peoples and Afro-descendents of the Autonomous Regions is reflected in the Central Government in the sense that there is little representation from the Caribbean Coast in the high State posts, "The don't let us administer our own resources, and this in itself is racist, in the delegations within institutions they send someone from Managua to doing things, they don't think we are capable."<sup>105</sup>

There is no motivation or incentive for Costeños from the Central Government, even though there are many qualified Costeño professionals they are not considered for any sector of the government. Costeños believe that racism is being overcome within the region, but there is much more work to do by the Central Government. For youth from the Caribbean Coast in the Pacific, the work of the government starts by giving opportunities, building consciousness and educating youth and the general population about racism and about ethnic and cultural diversity, and to involve Indigenous and Afro-descendent communities in the decision-making of various levels of government, as well as to stimulate civic participation within each region.

The promotion of leadership to improve the quality of political participation is a recurring theme throughout this study. Many consider it very important to take initiatives within the communities and to be a leader for the community. This concern comes principally from Costeño youth, who feel that there is a lack of community leaders, as well as a lack of information about the public processes. Similarly, they believe that work done by civil society is very timid and inefficient, and that change should start with education from the grassroots about history, language, and culture.

The migration of the Mestizos from the Pacific to the Caribbean Coast is another phenomenon that affects the ability of certain communities. Several people interviewed felt that some politicians in the Central Government believe that the way to maintain a strong voting base in the Caribbean Coast region is changing the demographic composition, or promoting "mestizaje." This political vision is driven both by ambition for political power, and by the belief that Mestizo culture is superior to Indigenous and Afro-descendent cultures.

### 5.7.3 Limited political participation

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<sup>104</sup> Focus group of Association of Women Business Owners, Bilwi. 15 October, 2006.

<sup>105</sup> Iris Alfaro, Analyst of a project of the Regional Government in the RAAS, Interview, October, 2006.

Another form of discrimination is the imposition of forms of political participation. Within political parties the representation of Indigenous Peoples and Afro-descendants is very limited, particularly in positions of decision-making. Participation in political parties is a form of politics and clientelism that breaks from the traditional form of electing and controlling the authorities. Political polarization breaks the internal structure of communities and totally changes traditional values. Indigenous communities in the Pacific and Central-North resent the high degree of interference of the municipal mayor's offices in their elections of authorities, and the fact of having to enter the municipal councils only through political parties. In addition, they state that the programs of political parties do not take them into account.

At the regional level, the politics of ethnicity are complex in the Autonomous Regions. In the RAAN, for example, because Miskitus have gained significant political voice over the last several decades, Krioles, Mayangnas, and Mestizos feel discriminated against by the Miskitus in government positions. Members of the regional government and the mayor's office are mostly Miskitu and affiliated with the Yatama,<sup>106</sup> so participation by other groups is constrained by the politicization of access to positions in government.

Similarly, the Regional Council in the RAAN is comprised mainly of politicians aligned with the FSLN, so people feel that unless one is politically aligned with the FSLN or belong to a particular Indigenous or ethnic community, then it is more difficult to participate in the Council. One person interviewed mentioned that while Yatama used to be an organization that represented Indigenous Peoples in the communities, now that it is a political party it is more discriminatory, and has more ambition for power than for representing people in the communities.<sup>107</sup>

This type of politicization has also caused divisions within families whose members have divergent political beliefs, and some feel that there is a decreased spirit of fraternalism and unity in the Autonomous Regions. Even more troubling is the fact that most people feel that the concept of autonomy is still disputed and unclear. Without a common understanding of what role the Regional Autonomous Government should play—and of how to work across ethnic groups to bring positive development to the region—little progress will be made.

Similarly, there is great concern for the little importance that the Central Government places on the human development of the Caribbean Coast. This is particularly evident in the process of national elections, as few resources are spent to engage with constituents in the Autonomous Regions, and none of the presidential candidates pay attention to the development of the Regions in their campaign discourse. In the Central Government, few important posts have been filled by Costeños, and so Indigenous and Afro-descendent communities are left feeling disenfranchised, without mechanisms to influence national policy. In fact, many people interviewed felt that it is the State that actively promotes discriminatory practices because the only interest that politicians from have in the region is to continue to benefit from its natural resources.

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<sup>106</sup> Regional political party, mostly Miskitu.

<sup>107</sup> Focus group with Organization of Women Business Owners, 15 October, 2006.

## 6. DEMANDS OF INDIGENOUS PEOPLES AND AFRO-DESCENDENTS

The demands of Indigenous Peoples and Afro-descendent communities have been characterized by an integral approach, which combines political, social, ecological, cultural, and economic demands. In each stage of the struggle there has been a central axis, very influenced by the situation, whether peace, the regulation of the Statute of Autonomy, or the transferal of duties and resources from the Central Government to the Autonomous Regions. For the Indigenous communities of the Pacific and Central-North, the situation has been very similar, as their fundamental demand through the last few years has been to be recognized by the State as subjects of collective rights.

In the Autonomous Regions in the last few years what is known as the Minimal Agenda has been promoted.<sup>108</sup> The central element of all the demands has been to promote structural reforms of the State through territorial and local powers. The principal themes have been:

- Collective human rights
- Strengthening and application of the autonomous juridical-legal framework
- Conservation of natural resources and biodiversity
- Development proposals in the Autonomous Regions
- Intercultural health, advance and implementation of the SEAR
- Women, youth, and children
- Costeña identity and challenges of interculturalism
- Territorial legislation and the basis for collective communal property
- Citizen security and systems of administration of justice
- Governance and political participation

For the Indigenous communities of the Pacific and Central-North the priorities are the initiative of the Indigenous Law, territorial rights, and political participation. The agenda of Indigenous Peoples is centered in the recognition and exercise of Indigenous rights in the Region coinciding with the following themes:

- Right and access to the land, territory, and control of natural resources to organize new forms of development from their own vision.
- Elimination of poverty, racism, and social exclusion focused on the structural causes, the transformation of relations with the State and democraticization of the decision-making process and distribution of resources being the central points.

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<sup>108</sup> This has been devised from meetings in the municipalities with participation of local social actors, government institutions, and representation from international cooperation agencies and the Central Government. Its final approval was in a joint session of both Regional Autonomous Councils. It has a system of participatory monitoring.

- New forms of political participation and access to spaces of decision-making in the municipal, regional, national, and international levels.
- Advancing in the establishment of their own models of development and self-government, with culture, cosmovision, values, ways of life and social organization being the central elements.

For Afro-descendent communities, the elimination of all forms of racial and discrimination and political participation are fundamental themes. In all cases, education and the development of institutional and organizational capacity and are a relevant aspect. Connected to this question, there is growing concern about the development of youth and children as the bearers and guarantors of Indigenous and Afro-descendent cultures in face of the challenges of a globalized world.

### Principal Demands of Indigenous Peoples and Afro-descendent Communities

6.1 INDIGENOUS PEOPLES IN THE CARIBBEAN COAST REGION	
Themes	Areas of Interest
1). Promotion of policies of active civic participation of Indigenous Peoples of the Caribbean Coast region based on respect for their ethnic identity	1). <ul style="list-style-type: none"> <li>▪ Implementation of a program that establishes a democratic, egalitarian, and interactive regional multiculturalism, of Indigenous Peoples in all their cultural, economic, and social dimensions.</li> <li>▪ Formulation of policies for the improvement of provision of public services like education, health, and the implementation of intercultural justice, especially in the regions where those Indigenous Peoples live.</li> <li>▪ The process of granting titles of collective property should integrate the customs and uses of Indigenous Peoples (Customary Rights).</li> <li>▪ Formulate and implement measures for the promotion and encouragement of activities oriented toward the sustainable use and conservation of natural resources that benefit Indigenous Peoples.</li> <li>▪ The Government should examine the possibility of ratifying and applying the International Labour Organization Convention 169 on Indigenous Peoples and tribes.</li> </ul>
2). Promotion and proposal through policies for the recovery of the culture of Indigenous Peoples of the Caribbean Coast region	2). <ul style="list-style-type: none"> <li>▪ Elaborate and set a program into motion for the research, recovery, and preservation of the mother tongues of Indigenous Peoples.</li> <li>▪ Development of programs aimed at conserving, promoting, and encouraging cultural activities of Indigenous Peoples.</li> <li>▪ Regional and municipal authorities should ensure, through negotiation, so that the interests and ancestral rights of Indigenous Peoples are not harmed.</li> <li>▪ Implementation of true bilingual and intercultural education</li> </ul>

<p>3). Promotion and development of policies in the fight against racism, discrimination, and exclusion</p>	<p>that consists of an honest reflection on the lack of social and cultural integration of different populations.</p> <ul style="list-style-type: none"> <li>▪ Incorporate in the SEAR the promotion, recovery, and conservation of the values and culture of Indigenous Peoples, developing multiethnic and pluricultural diversity.</li> </ul> <p>3).</p> <ul style="list-style-type: none"> <li>▪ Promote egalitarian participation of Indigenous women in the director posts in different regional government bodies and other regional bodies of administration.</li> <li>▪ Inclusion of effective and systematic participation of Indigenous women's organizations in the process of the definition of policies, and in the elaboration, execution, and evaluation of plans and projects that are developed in the region.</li> <li>▪ Allocation by the Central Government of the financial resources necessary for the development of Indigenous Peoples in the Autonomous Regions.</li> <li>▪ Promotion and inclusion of the rights of Indigenous women in all the levels of consultation and decision-making about social, economic, cultural, and political questions.</li> </ul>
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6.2 INDIGENOUS PEOPLES OF THE PACIFIC, CENTRAL, AND NORTH REGION	
Themes	Areas of Interest
<p>1). Promotion of policies of active civic participation of Indigenous Peoples of the Pacific, Central, and North region based on respect for their ethnic identity</p> <p>2). Promotion and proposal through policies for the recovery of the culture of Indigenous Peoples of the Pacific, Central and North</p>	<p>1).</p> <ul style="list-style-type: none"> <li>▪ Recognition by the State of the particularities and needs of Indigenous Peoples of the Pacific, Central, and North regions, adapting national legislation for their human rights.</li> <li>▪ Regulation of the laws, the faculties, and coordination of governments of Indigenous Peoples of the Pacific, Central, and North regions in conjunction with the public administration of the State.</li> <li>▪ Implementation of special measures of common accord with the Indigenous authorities to protect Indigenous territories and their natural and cultural resources, and to improve the infrastructure and living conditions for the population.</li> <li>▪ Guarantee from the State the benefits of programs of social development in their jurisdiction to the Indigenous Peoples of the Pacific, Central, and North regions.</li> </ul> <p>2).</p> <ul style="list-style-type: none"> <li>▪ Strengthening of the Social State of Rights, democracy, and human development of the Indigenous Peoples of the Pacific, Central, and North regions.</li> <li>▪ Promotion and development of the identity and culture</li> </ul>

<p>regions</p> <p>3). Promotion and development of policies in the fight against racism, discrimination, and exclusion</p>	<p>and administer the local affairs in accordance with the communal ways and with communal social organization</p> <p>3).</p> <ul style="list-style-type: none"> <li>▪ Recognition and respect from the State for the forms of organization of Indigenous Peoples, and for the social representation and administration of Indigenous territories that is in conformance with their own traditions and interests.</li> <li>▪ Inclusion of the participation of women of the Indigenous Peoples of the Pacific, Central, and North regions in the bodies of authority and decision-making.</li> <li>▪ Equality and equity of participation of the Indigenous Peoples of the Pacific, Central, and North regions in the political, economic, social, and cultural life of the nation.</li> </ul>
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6.3 SUMU-MAYANGNA PEOPLE	
Themes	Areas of Interest
<p>1). Promotion of policies of active civic participation of the Sumu-Mayangna People based on respect for their ethnic identity</p> <p>2). Promotion and proposal through policies for the recovery of the Sumu-Mayangna culture</p> <p>3). Promotion and development of policies in the fight against racism, discrimination, and exclusion</p>	<p>1)</p> <ul style="list-style-type: none"> <li>▪ Establishment by the Central Government actions necessary to accelerate the process of Demarcation and Titling of communal lands, which is the most essential for the Sumu-Mayangna population.</li> <li>▪ No limitations placed by the regional or municipal authorities in political, economic, social, and cultural spaces.</li> <li>▪ Representatives of Sumu-Mayangna communities are proposed and consulted to apply for director posts in State institutions with equal opportunity and conditions.</li> </ul> <p>2).</p> <ul style="list-style-type: none"> <li>▪ Realization of studies on the cultural, political, and socio-economic roots of the Sumu-Mayangna population.</li> <li>▪ Conducting exchanges between the Sumu-Mayangna populations in the regional, national, and international levels.</li> </ul> <p>3).</p> <ul style="list-style-type: none"> <li>▪ Respect for the cosmovision of the Sumu-Mayangna population.</li> <li>▪ Inclusion of the Sumu-Mayangna population in various spheres: social, cultural, economic, and political.</li> <li>▪ Implementation of Programs of Bilingual Intercultural Education in the Sumu-Mayangna mother tongue and in formal education in the RAAN</li> <li>▪ Elaboration of programs that incorporate the participation of the Sumu-Mayangna population, respecting their collective and individual needs.</li> <li>▪ Insertion of the Sumu-Mayangna population in the</li> </ul>

	<p>political, social, economic, and cultural spaces.</p> <ul style="list-style-type: none"> <li>▪ Influence of the Sumu-Mayangna population in the plans, proposals, and elaboration of development projects and programs of majority groups.</li> <li>▪ Offer opportunities of professional advancement for Sumu-Mayangna youth.</li> <li>▪ Spaces of representation in churches for the Sumu-Mayangna population.</li> <li>▪ Equality and equity in the plans of economic and social development.</li> <li>▪ Promote and include Sumu-Mayangna women in the development plans and programs and in different social, economic, and political spaces.</li> </ul>
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6.4 AFRO-DESCENDENTS: GARÍFUNA and KRIOLE COMMUNITIES	
Themes	Areas of Interest
<p>1). Promotion of active civic participation of Afro-descendants based on respect for their ethnic identity</p> <p>2). Promotion and proposal through policies for the recovery of Afro-descendent cultures</p> <p>3). Promotion and development of policies in the fight against racism, discrimination, and exclusion</p>	<p>1).</p> <ul style="list-style-type: none"> <li>▪ Representatives of Afro-descendent communities are nominated, consulted, and legitimated for positions through the mechanisms that they define.</li> <li>▪ Establishment of policies and laws that guarantee the presentation of Afro-descendants in the National Assembly and Central American Parliament.</li> <li>▪ Respect for the right to apply with equal opportunity and conditions for executive and director positions in State institutions.</li> <li>▪ Promotion and respect of the nomination of Kriole and Garífuna representatives I in the Directive Board of the Regional Councils, in coordination of the Regional Government, and Municipal Government, with the right to be elected officials in significant and relevant posts.</li> <li>▪ Afro-descendent representatives in all levels of consultation and decision-making about social, economic, cultural, and political life.</li> </ul> <p>2).</p> <ul style="list-style-type: none"> <li>▪ Exchange between populations of Afro-descendants in the regional, national, and international levels.</li> <li>▪ Research and study of the cultural, political, and socio-economic roots of the Afro-descendent population.</li> <li>▪ Support for the cultural celebrations of Afro-descendent communities.</li> </ul> <p>3).</p> <ul style="list-style-type: none"> <li>▪ Inclusion of the Afro-descendent population in grants and scholarships in different levels of professional and technical specialization.</li> <li>▪ Policies of opening job opportunities to the Afro-descendent</li> </ul>

	<p>population at different levels, including in the Central and Regional governments.</p> <ul style="list-style-type: none"><li>▪ Implementation of the Program in Bilingual and Intercultural Education in the mother tongue (particularly Kriole), including in formal education.</li><li>▪ Implementation of special programs that incorporate Afro-descendent women, taking into account their particular needs.</li></ul>
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7. EVALUATION OF ACTIONS ADOPTED BY THE STATE AND OTHER ACTORS TO COMBAT RACISM IN NICARAGUA
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To fight racism perpetrated against Indigenous Peoples and Afro-descendants and ethnic communities, there must be a fundamental shift in power relations, which will create the conditions for deeper structural changes to occur. One path to begin this shift in power is to increase political representation of Indigenous and Afro-descendent communities in the Central Government. As political representation increases, the agendas and priorities of Indigenous and Afro-descendent communities can be infused into State policies and programs.

Another strategy is the use of international human rights instruments as tools to compel the State to meet standards that uphold the individual and collective rights, condemn racism and discrimination, assert the fundamental importance of gender equality, or defend the social, cultural, economic, civil and political rights of all people.

Whatever strategy is used to advance the rights of Indigenous and Afro-descendent Peoples, there are several components of the fight against racism that are essential. First, the approach must be rooted in a human rights-based model of sustainable human development, in which the framework of autonomy is put into practice. This must be embraced by the State and other institutions at all levels. Second, there must be a fully participatory democracy, where not only are Indigenous and Afro-descendent communities integrated into the decision-making of the State, but their communal processes, mechanisms of decision-making, and social organizations are respected and promoted. Third, there must be a concerted effort to develop regional, local, and community institutions to carry out and sustain the realization of autonomy and self-government.

The programs and policies of the central, regional, and local governments, and of other actors such as universities, non-governmental organizations, and churches are based on these components to varying degrees. Their actions range from acknowledging the multi-ethnic character of the State to constructing a legal framework for upholding interculturalism. These actions can be organized into three main areas: 1) institutionalizing autonomy and self-government; 2) implementing intercultural education; and 3) supporting and promoting traditional knowledge, practices, and institutions of Indigenous Peoples and Afro-descendants.

Unfortunately, national, regional, and municipal government authorities are doing little, if anything, to combat racism. In fact, most people interviewed felt that the government is actually promoting racism and escalating interethnic conflict. Although this reveals a low level of confidence in the authorities, most people feel that it is still the responsibility of government to adopt measures to tackle the problems of discrimination and institutionalized racism.

In the Autonomous Regions, a preoccupation with politics and a limited ability to influence the Central Government prevents the authorities from developing concrete steps to reduce racism and discrimination. In addition, the regional authorities and the communities can often be disconnected, as the authorities have greater contact with the heads of the municipalities. One person interviewed remarked that the regional government listens more to the thinking of 45 people who act as representatives than to the voices of 60,000 people in the communities.<sup>109</sup> Moreover, because of political divisions, the regional council and government operate independently, rather than working together to increase autonomy for the region. Many people feel that the regional authorities are manipulated by the Central Government, and still do not have a long-term vision to combat racism against the Indigenous Peoples and Afro-descendants. In fact, the main obstacle seems to be the lack of definition of the responsibilities of each institution at the regional level, to advance autonomy, and in the absence of clear objectives the authorities resort to meeting whatever demands are most pressing at any given moment under pressure from the population, rather than advancing the implementation of a long term plan.

At the national level, the majority of the people interviewed acknowledged the value of the national Political Constitution, which affirms the multi-ethnic character of the Nicaraguan State. They also noted that the government makes an effort, "at least on paper," to condemn discrimination based on race, ethnicity, and culture. However, others felt that these anti-racist declarations only serve the purpose of enabling the State to avoid taking concrete steps to reduce racism by denying that the problem still exists. In addition, people feel that the Central Government should devote more attention to supporting the languages, customs, traditions, and cultural practices of the Indigenous Peoples and Afro-descendants.

One example of a positive step is the development of intercultural education, but unfortunately those programs are not being fully implemented and many feel that they merely "address the problem at the branches, not the roots."<sup>110</sup> Others felt that socio-economic inequality is at the root of the problem, since discrimination will continue as long as elites in power leave little room for real democratic participation and do not allow resources to be equally distributed throughout the country. Finally, one person interviewed noted that the Central Government does not even meet the basic needs for people to survive, much less work on societal issues such as institutionalized racism.

Despite the fact that Indigenous and Afro-descendent institutionalism has increased in the country, it is still disperse and there are few spaces for the articulation of their struggles.<sup>111</sup> In many places there have been social and cultural interactions, including sharing land, territory, and resources. In other places, Afro-descendent organizations have used the organizational model of Indigenous Peoples. Some of the limitations for the combined struggle have been: a) the historical trajectories of their struggles are different; b) the multiple individual and collective identities that are self-assigned, denied, hidden,

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<sup>109</sup> Rosalina Gutierrez, Interview, 29 September, 2006.

<sup>110</sup> Interview with Benalicia Lucas, 2 October, 2006.

<sup>111</sup> CCAR. 2002.

repressed, making dialogue difficult; c) regional differences; d) conflicts from struggles for political power and for territory between different communities.

Some other limitations have been the difficulty of building alliances between popular sectors and Indigenous and Afro-descendent organizations. Those groups generally accept the inclusion of the agendas and demands of different communities when they enter under generic categories like poor farmers, workers, or poor in urban center, obviating the notion of differentiated ethnic diversity and the collective rights. At the level of civil society organizations, there has been a greater degree of tolerance, however, there is not a collective human rights focus adequately understood and defended even in those spaces. At the national level the universities have created some spaces, whether with scholarships, gastronomic festivals, or promotion of culture of the Caribbean Coast.

Among institutions that have been perceived as very important in the Pacific to call attention to the situation of Indigenous Peoples and Afro-descendents are the churches, “the memory I have as a child is that the priests used to come to Managua to denounce what was happening in the Mines, education, living conditions, and health over there.”<sup>112</sup>

The actions adopted by the State and various actors in the fight against racism and ethnic discrimination are classified in the following order: institutionalization of autonomy; defending and protecting human rights; strengthening regional institutions; defending territorial rights; implementing bilingual intercultural education; intercultural higher education; supporting and promoting traditional knowledge and community institutions; cultural revitalization; educating civil society; and promoting religious, spiritual, and cultural exchanges.

## 7.1 Institutionalization of Autonomy

- Actor: Central Government
- Action: Legal framework for autonomy and support for regional authorities

As described previously in this study, there is an ample legal framework for autonomy for the Caribbean Coast. Legal instruments at both the international and national levels provides a strong basis for institutionalizing autonomy, as they lay out all the necessary components to truly promote a multi-ethnic, pluricultural, and multilingual State. However, the general perception of the citizens is that these laws are not being fully implemented. Many feel that the laws exist “on paper” and in the discourse of politicians, but have not been given the necessary attention to be carried forward in reality. If there is no political will to implement these laws, structuralized racism is actually reinforced, as the State maintains an illusion that it supports the multiethnic, multicultural, and multilingual character of the State, while failing to take steps to protect and uphold this model.

Moreover, while the central element of reducing racism against Indigenous Peoples and Afro-descendents in Nicaragua lies in the realization of a genuine level of autonomy,

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<sup>112</sup> Flor de Ma Monterrey, MINSA, Interview, October, 2006.

the practice of autonomy cannot be fully realized until it is guaranteed, or at least facilitated, by the Central Government. While the Central Government has committed to some degree to the principle of autonomy, it has not provided sufficient technical support or financial resources to the regional authorities to ensure its implementation. This puts the regional government in a difficult position, as the population expects the authorities of the Autonomous Regions to be able to fulfill their responsibilities, but they do not have enough institutionalism meet all those expectations.

## 7.2 Defending and protecting human rights

- Actor: Central Government
- Action: Programs of Office of the Defense of Human Rights and Post-Durban Commission

The Office of the Defense of Human Rights was created as a national program to monitor the actions of the State and to push institutions in the central government to uphold their human rights obligations. The Office has been mostly successful at generating the intellectual material and to accomplish these goals, continually publishing reports, holding workshops, and educating the population about the topic of human rights. However, they have fallen short in the process of defining mechanisms to hold the Central Government accountable to its responsibilities of supporting autonomy and the elimination of racism and ethnic discrimination.

Following the Global Conference Against Racism in Durban in 2001, where the international community devised the International Convention for the Elimination of all forms of Racial Discrimination (ICERD) and adopted a series of recommendations,<sup>113</sup> the national Post-Durban Commission was formed with a broad intersectoral composition and formulated a National Plan of Action the Fight Against Racism, Racial Discrimination, Xenophobia, and Connected Forms of Intolerance. This plan covered various areas, including human rights of Indigenous Peoples and ethnic communities, legal measures, anti-racism dialogue, education, health, and multiethnic participation in national, regional, and municipal management. Five years later, the National Forum of Affirmative Actions in the Fight Against Racism was celebrated, concluding that unfortunately the plan had not been undertaken by the Central Government, and therefore had not been implemented.

## 7.3 Strengthening regional institutions

- Actor: Regional Authorities
- Action: Strengthening regional institutions

The principal challenge faced by the regional authorities in the fight against racism is developing capacity to give responses to the urgent problems that face the population, as well as their capacity to influence policies of the Central Government, in such a way that moves beyond legal recognition of a multiethnic character of the State to making the

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<sup>113</sup> See the Declaration and Program of Action of the Global Conference against Racism, Racial Discrimination, Xenophobia, and connected forms of intolerance, United Nations, 2002.

necessary structural changes to reflect this reality in its programs and public policies. This moves even beyond a policy of decentralization that transfers the duty to provide certain services to the Autonomous Regions, as this may be insufficient if it merely transfers systems designed at the central level with approaches that do not originate from the cosmovisions of Indigenous Peoples and Afro-descendent communities. For example, the Central Government has supported the Autonomous Regions by providing the basic infrastructure for health care; however, the manner in which the health system is carried out does not incorporate the traditional knowledge and practices of the regions' peoples and communities into the provision of those health services.

The regional authorities are actively working to find ways to serve as an interlocutor with the Central Government, however the process is full of conflicts and tensions, which challenge the structure of the State. Through this process they hope to create the foundation for the structural changes necessary to confront racism. Yet there are still many limitations—above all, a lack of resources. The insufficient support or responsiveness from the Central Government creates a situation of loss of credibility from the population and reduces the regional authorities' how capacity for governance.

Within the Autonomous Regions, the framework of a multi-ethnic autonomy ensures that the autonomous councils and governments, as the main bodies that make decisions for the regions, create space for Indigenous and Afro-descendent communities to participate. This ideal is not easily achieved because while the inherently multi-ethnic nature of the model does contribute to reducing the tensions among ethnic groups, it requires a long-term commitment to make an impact. In the last couple decades, many have observed advances in the ability of Indigenous and Afro-descendent groups to work across ethnic groups and cultures, with greater spaces for exchange and more efforts to confront racism. However, the process of contending with racism must be placed more consciously at the center of the process of building autonomy. The policies and programs of regional authorities should address racism and discrimination more directly, and should provide spaces and mechanisms to facilitate open dialogue, learning, and problem solving to advance the fight against racism.

#### 7.4 Defending territorial rights

- Actor: Indigenous and Afro-descendent Territorial and Communal Authorities
- Action: Demarcation and titling of Indigenous territories and communal lands

The recognition and exercise of the rights to collective communal property over lands, territories, and natural resources are the basis of the institutionalization of autonomy at the communal, territorial, and regional levels. Despite the fact that only five territorial titles have been handed over to Indigenous communities and there are still problems with registering those titles, there are five other territories that are in the process of formulating diagnostics and requirements that establish the law. This is a slow process with stumbling blocks because of lack of full support from the Central Government to collaborate; therefore the communities face a series of obstacles.

Although over five years have passed since the ruling of the Interamerican Court of Human Rights on the case of the community of Awastingni, the Nicaraguan State has not fulfilled its obligations in that emblematic case with respect to demarcation and titling of Indigenous territories.

It is important to note, however, that the process of self-demarcation and legalization of Indigenous territory contributes to increasing the levels of organization of the communal and territorial institutions, promoting dialogue and awareness of collective rights, and reaffirming local knowledge and individual and collective identities. The process also promotes the development of capacities for negotiation with neighboring communities, and puts the communal-territorial authorities in better position to negotiate with the State.

#### 7.5 Implementing bilingual intercultural education

- Actor: Regional Councils and Education Commission in the Autonomous Regions
- Action: Regional Autonomous Educational System (SEAR)

Structuralized racism, which has penetrated to the core of society, often makes it difficult for institutions to change their discriminatory practices, as these are just symptoms of a deeper structural issue. So rather than striking the problem at the core, most people find it less demanding to address racism at a surface level by proclaiming the recognition of multiculturalism. This approach affirms that there are many cultures, languages, and perspectives of various ethnic groups that exist, without delving deeper to engage in questions about the power relations. Thus, the national and regional model for grappling with diversity must change from “multiculturalism,” which is simply the recognition of cultural and ethnic diversity, to “interculturalism,” which is an ongoing dynamic process of coexisting, sharing, exchanging, mutually respecting, and sometimes engaging in constructive conflict.

The SEAR, which has been promoted in the Autonomous Regions, is based in principles of autonomy, education, human rights, gender equity, rights of children and youth, and the strengthening of ethnic and linguistic identity for all Indigenous and Afro-descendent communities. In addition to underscoring the most essential frameworks, tools, and methods to building sustainable human development in the Autonomous Regions, the SEAR constitutes a genuine attempt to put interculturalism in practice. That is, the SEAR has certain important elements that set it apart from a mere reaffirmation of the framework of affirming the multicultural, multilingual, multiethnic nature of the Autonomous Regions. Instead, the SEAR outlines interculturalism as the practice of dialogue between people of different cultures as a means of communicating and exchanging knowledge within a context of mutual respect, empathy, and solidarity. Moreover, it puts forth the notion that “The foundation of interculturalism is pluralism, the will and the experience of living in together in diversity.”<sup>114</sup> In fact, through the process of the formulation and

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<sup>114</sup> SEAR, 11.

implementation of the SEAR, the regional authorities have come to realize that, “The negotiation of intercultural relations goes hand in hand with intercultural relations of power.”<sup>115</sup>

There are several other significant elements that make the regional authorities’ plan to implement the SEAR an important step forward in the fight against racism. First, it states as an explicit goal the development of human resources in the regions as a means of enabling the region to build and sustain autonomy. Second, while it recognizes the importance of the Program in Bilingual Intercultural Education, it clearly recognizes the danger of allowing the program to be used by the Ministry of Education (MECD) of the Central Government as means of imposing values not belonging to the visions of Indigenous or Afro-descendent communities. That is, the SEAR methodology is grounded in the philosophy, cosmivision, traditional knowledge, and culture of peoples in the Autonomous Regions. Similarly, it seeks to ensure that the educational system in the regions does not prioritize certain types of knowledge over others, or written texts over oral traditions, asserting that these aspects of education are equally important to intercultural education.

The SEAR plan (2003-2013) also declares that the educational system as a whole should take a more active role in the process of promoting ethnic identity, and facilitating the development of a consciousness not only about racial discrimination, but also gender inequity, and eliminating stereotypes and prejudices.<sup>116</sup> In this sense, the SEAR constitutes an important step in confronting institutionalized racism.

#### 7.6 Intercultural higher education

- Actor: University of the Autonomous Regions of the Caribbean Coast of Nicaragua (URACCAN) and Bluefields Indian & Caribbean University (BICU)
- Action: Intercultural higher education

One of the principal building blocks of institutionalizing autonomy, and in turn fighting racism, is developing the human resources inherent in Indigenous and Afro-descendent communities. The community universities of the Caribbean Coast were established based on the necessity to increase the administrative and management capacity of the region and to build the human resources that are the foundation for defining a model of autonomy and development for the Caribbean Coast. They are committed to promoting academic spaces for debate, generation of ideas, proposals, and approaches from the vision of Indigenous Peoples and Afro-descendent communities. As part of URACCAN’s mission it seeks to provide the knowledge necessary to secure the economic, political, social, cultural, ecological rights of the multiethnic population of the Autonomous Regions.

Thus, the universities were established based on the belief that to achieve greater autonomy, it is necessary to build the capacity of local actors to envision and advocate for the policy changes that are necessary, to administer their own institutions, and to facilitate

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<sup>115</sup> Regional Autonomous Councils, Education Commission of the RAAN/RAAS. Plan 2003-2013, 61.

<sup>116</sup> Ibid, 62.

the necessary social and cultural changes to combat racism. That is, for autonomy to be put into practice there must be more professionals in the region who can manage the decentralization from the Central Government in a way that promotes the cultures, languages, customs, traditions, spirituality, and cosmovision of the Indigenous and Afro-descendent communities. In the case of URACCAN, each area of study is oriented toward the “accompaniment and strengthening of Costeño management and leadership is a fundamental aspect of URACCAN, to ensure support for the Regional Autonomy process, guaranteeing in all its conduct the Multiethnic Costeña unity, for which it promotes interculturalism as a tool to overcome the hierarchical interethnic relations imposed by colonial models.”<sup>117</sup>

In accordance with this philosophy, among the research that is promoted at URACCAN are the recovery of traditional eco-sustainable production practices of the Miskitu, Mayangna, Garífuna, Rama, and Mestizo communities, the recovery of norms of administration of justice of the different Indigenous and Afro-descendent communities, social exclusion and poverty of the communities of the Caribbean Coast, the perception of the Mestizo population on Autonomy, demarcation and legalization of communal lands, and the formation of professional and technical human resources in the Autonomous Regions. These lines of investigation indicate that the University always makes the active effort to integrate the fight against racism in its activities. However, there are still challenges in the work of the university, including maintaining an institutional academic profile amidst a climate of political polarization and the consolidation of mechanisms necessary to guarantee the profile of the university as communal, public service oriented, multiethnic.

#### 7.7 Supporting and promoting traditional knowledge and community institutions

- Actor: Regional Authorities
- Action: Autonomous Health Model

An Autonomous Health Model has been elaborated that combines traditional medicine of Indigenous Peoples with the practices of Western medicine. The Autonomous Regions adopted this Intercultural Health Model in 1997, which establishes interculturalism as its fundamental principle, responding to the right codified in the Autonomy Statute that the organization of health services must reengage ancestral health practices. The Regional Autonomous Councils and the Ministry of Health (MINSAs) have approved this model, and its implementation through decentralization to regional health authorities continues to be negotiated.

One demand particularly promoted by Indigenous communities has been the recognition and respect for Indigenous knowledge,<sup>118</sup> which is a central element in global

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<sup>117</sup> Cunningham, M. “On the experience of URACCAN,” 2005.

<sup>118</sup> Indigenous knowledge is conceptualized as the accumulation of knowledge associated with the occupation in the long term of a particular space, and this knowledge refers to traditional norms and social values, as well as the mental construction that guides, organizes, and regulates the way of life of the peoples and that makes sense in their world. It is the sum of the experience and knowledge of a given social group, and forms the basis for decision-making in the face of challenges, whether within the family or whatever other nature. For thousands of years, many Indigenous cultures were guided by a vision based

issues, precisely in light of the urgent need to find methods of halting environmental deterioration and ending poverty. Indigenous medicine, therefore, involves physical, mental, spiritual, and emotional elements that affect people, but also influences collective political, economic, cultural, and social aspects. When the individual and collective development produces a harmony with the surroundings, health is achieved. The concept of circular medicine is based on this approach, and is among the elements that support the notion that the whole person must make a personal and moral commitment in the struggle to achieve interior and exterior equilibrium, which also is expressed in natural and spiritual laws. In this concept exists the belief that the mind, body, and soul are all related to health.<sup>119</sup>

Among recent achievements in the area of traditional knowledge are the following:

- Recognitions of the value of traditional knowledge has increased
- Beginning to incorporate elements of traditional knowledge in the courses of study
- Traditional healing is valued and respected
- Traditional healers participate in the process of teaching and learning

#### 7.8 Cultural revitalization

- Actor: Local authorities
- Action: Cultural activities

Local authorities support cultural activities, spiritual ceremonies, and traditional festivals, which are a means of celebrating and promoting the collective heritage of Indigenous and Afro-descendent communities. Holidays like “Day of Indigenous Afro-descendent Resistance” and celebrations like King Pulanka in Miskitu communities, May Pole in Kriole communities, or the celebration of the Garífuna Anniversary provide an important space to pass traditional knowledge on to younger generations, which strengthens identity and the cohesion of the communities. They also serve to share the cultural expressions among different peoples and communities, promoting mutual respect and understanding. Unfortunately, these activities are limited and require more commitment both in policies and program, as well as resources to promote the support of traditional knowledge and institutions.

#### 7.9 Educating civil society

- Actor: Non-government organizations
- Action: Promoting the rights of Indigenous People and Afro-descendent communities

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in the following principles: the individual is part of nature; respecting and reviving the wisdom of elders; taking into consideration the living as well as the dead and future generations; sharing responsibilities, well being and resources with the community; embracing spiritual and traditional values and practices that reflect a connection with a greater order, culture and the earth. (Dei, et al, 2000:6)

<sup>119</sup> Scout, mentioned by Dion y Coloma, 1993.

Non-governmental organizations play an important role in providing spaces for the issue of racism to be addressed in the context of human rights. Through trainings, workshops, and distribution of information, these organizations are able to raise consciousness about the principles of autonomy, self-determination, and interculturalism. Some people report that non-governmental organizations, like other institutions, reproduce racist tendencies in their daily practices. This again speaks to the need for further education and raising awareness about expressions of racism and about manifestations of structuralized racism. However, others say that non-governmental organizations provide a constructive space in which different cultures can engage with each other. In general, non-governmental organizations strive to support communal institutions; however, this is an effort that must be continually reevaluated and strengthened. For example, as non-governmental organizations work on programs and projects supported by international bodies and multilateral institutions, they should increase their efforts to place communal institutions at the front of those activities to build the capacity of those traditional organizations and incorporate community leadership in decision-making processes.

#### 7.10 Promoting religious, spiritual, and cultural exchanges

- Actor: Churches
- Action: Promoting religious, spiritual, and cultural exchanges

Churches are an integral part of the social fabric of communities, and serve to convene people of various peoples and communities in the context of worship. In some cases, churches have the tendency to reproduce the biases of colonialism, by segregating their congregation or by sustaining inequalities in their leadership structures. For example, some people interviewed who identify as Mayangna who live and attend a church in Managua report that when sermons are not offered in their mother tongue, this excludes them from fully participating in worship, and can alienate them from the congregation. However, because they do not live in a Mayangna community, the church also provides them with a space to connect with other Mayangna people, and they have found it helpful to do this while also interacting with people of other ethnicities. Thus, churches have been also reclaimed as a social institution that serves to support interculturalism.

## 8. CONCLUSIONS

The principal conclusions of the study are the following:

- The presence of racism in Nicaragua is real and current.

The results of this study inarguably reveal structural racism as an ideology and practice in Nicaragua. However, the most definitive obstacle is that neither the State nor the majority of other institutions actively confront racism because they do not recognize it as a real and current phenomenon. For that reason, it will be even more difficult for the Indigenous Peoples and Afro-descendants who experience discrimination and the manifestations of institutionalized racism each day to diminish racism. If neither the Central Government nor other institutions of Nicaragua become more conscious of the problem and do not undertake its eradication as a commitment, racism will only intensify.

- The lack of recognition of racism impedes measures to confront it.

The current situation in Nicaragua is that because there is little recognition of racism, there are few programs with the purposes of reducing it. At the national level the only significant measure that the State has taken to confront the underlying causes of racism has been the Autonomy Law, which is not fully respected or put into practice by the Central Government. Although some actions by regional and community actors do exist, without support or resources from the State, it will be difficult to make significant progress with those actions.

- Racism is reproduced in all institutions.

Racism as an ideology and everyday practice is not only perpetuated by the State, but also by other institutions in the social, cultural, economic, juridical-legal, and political spheres, and they reproduce it as an inherited tendency of colonialism. Churches, non-governmental organizations, and educational centers, among others, are spaces where racism is reproduced, even when it is not in a manner that is open or intentional. The fact that the institutionalization of racist ideology and discrimination exists in all aspects of society is an enormous challenge in the fight against racism.

- It is necessary to advance toward structural transformations

The experience in Nicaragua has demonstrated that the recognition of the multiethnic and cultural diversity requires not only legal changes but also profound transformations that contribute to generating collective and interethnic trust, opening access to opportunities for permanently excluded and impoverished sectors to visibilize them and give them voice. Similarly, promoting the reconstruction of community and territorial networks and interethnic alliances is fundamental to bringing greater cohesion to Nicaragua.

- The strategy to confront racism must involve diverse approaches.

Because the phenomenon of racism has various facets and exists in all aspects of society, no single approach can be recommended to tackle it in only one sphere. Instead, it is necessary to work in all levels of systems of governance, justice, health, education, trade, and civil society. Although the task is considerable, the good thing is that there is a clear point of departure: the Autonomy Law. The country has an opportunity because it has a legal framework that can, in coordination with international, regional, and community instruments, guide the efforts of the State in the fight against racism. For the Indigenous Peoples of the Pacific, Central, and North regions it is necessary to complete the legal framework.

- The fight against racism should be an integral part of other efforts against poverty and inequality.

Poverty and gender inequity, as well as other forms of inequity based on identity, are linked to racism. Because racism manifests in so many institutions and organization, it is impossible to reduce poverty, construct a vision of local development, or reach gender equity without considering the impact of racism on those goals.

## 9. RECOMMENDATIONS

9.1 ACTIONS AT THE NATIONAL AND REGIONAL LEVELS	
<b>CULTURAL</b>	
1.	Demand conditions and resources from the State that ensure increased opportunity to exercise the right of Indigenous Peoples and Afro-descendent communities to acquire, reproduce, create, practice, develop, and teach their knowledge, languages, traditions, spiritual practices, and customs.
2.	Support measures that recognize the languages of Indigenous Peoples and Afro-descendents and dedicate resources that establish programs to ensure their survival and continuity.
3.	Develop programs on anti-racism practices in raising gender awareness, implementing them with groups with diverse geographic origins, ethnicities, genders, and ages, with the goal of promoting interculturalism in all parts of the country.
4.	Promote the elimination of discriminatory content in the media and require that they respect the values, rights, and identities of Indigenous Peoples and Afro-descendents. Invite the media outlets of public and private information to become familiarized with and then reflect the cultural diversity of Nicaragua.
5.	Initiate measure for the fulfillment of food security and sovereignty of Indigenous Peoples, including the protection of their methods of production, preparation, and recovery of traditional foods.
<b>SOCIAL</b>	
1.	Ensure financial, material, and human resources for the strengthening and implementation of the Regional Autonomous Educational System, and the functioning of the Regional Education Commissions and Secretariats, integrating the multiethnic, multicultural, and multilingual reality of Nicaraguan into educational curricula, plans, and programs
2.	Recognize the processes, systems, and methodologies of education belonging to each Indigenous people and Afro-descendent community, through education that contributes to the development of their own languages and affirmation of their identities.
3.	Ensure that educational curricula incorporate a real history of the fight against colonialism, slavery, and patriarchal ideologies and practices that have entrenched institutionalized racism and racial discrimination.
4.	Ensure that educational curricula underline the vital contributions of different Indigenous and Afro-descendent cultures, including all ethnic, racial, cultural, religious, and linguistic groups that have participated in the construction of national

identity.
5. Promote the allocation of financial resources for building the educational infrastructure, equipping schools with furniture and instructional materials, both for teachers and students.
6. Ensure the implementation of the literacy program for adults and older youth in different Indigenous and Afro-descendent languages, given the high incidence of illiteracy and low schooling.
7. Guarantee pedagogical education specialized for people with disabilities in Indigenous and Afro-descendent communities, with the goal of guaranteeing their full integration into the social, economic, political, and cultural life of society.
8. Urge the review of educational curricula to eliminate the elements that could promote racism, racial discrimination or reinforce negative stereotypes.
9. Guarantee respect for University autonomy and institutionalism of the centers of higher education in the Autonomous Regions, including URACCAN and BICU, which express an inclusive and democratic model guided by the Autonomy Statute and based in the university councils with community participation. Promote integral programs of attention to Indigenous and Afro-descendent communities in the public and private universities in Nicaragua.
10. Guarantee accessibility to the inhabitants of rural areas to subsystems of medium and higher education and public school, through establishing programs of integral scholarships as a mechanism of strengthening local capacities.
11. Urge the Central Government to create all the conditions require for the implementation and sustainability of the Intercultural health Model that corresponds to the needs of the multiethnic population in the Caribbean Coast and in the Pacific, Central, and North regions inhabited by Indigenous Peoples.
12. Ensure that public health policies take into account the cosmovision and practices of traditional medicine and alternative healing of Indigenous Peoples, creating favorable conditions for their inclusion in the national health model and system.
13. Promote the implementation of mechanisms and/or policies that ensure greater participation of actors involved in health management in the Peoples of the Caribbean Coast, based on their own racial, ethnic, cultural, social, economic conditions, and customs, and adding a greater representation of professionals from the Caribbean Coast in the health systems.
14. Call on the government, NGOs, and the private sector to respond in an aggressive way to the HIV/AIDS pandemic that is exacerbated by racial/ethnic discrimination, poverty, class discrimination, and gender discrimination.
15. Ensure economic resources so that institutions that work in the area of health implement programs to promote family planning and sexual and reproductive health as one of the necessary paths to diminish the risk of contracting HIV/AIDS and other Sexually Transmitted

Infections, in accordance with the realities and needs of Indigenous and Afro-descendent communities.
16. Demand the collection of data disaggregated by ethnicity, gender, age, geographic origin (and/or other elements of identity), highlighting increases and decreases over time, as well as the rate of change, gaps and inequalities with respect to the groups.
17. Eliminate exclusive or discriminatory categories or indicators that discriminate against specific groups.
18. Promote that the State incorporate the visibilization of Indigenous Peoples in National Census and other systems of statistical registry. Compel the use of other types of indicators in addition to and not instead of adequate cultural indicators that are already being used in some countries.
19. Promote the construction of indicators of well-being from the vision of Indigenous Peoples and Afro-descendents, in an effort to integrate the collection, processing, reporting, and use of information and knowledge to influence decision-making in policy, programs of action, and research that has to do with the development proposals of Indigenous Peoples.
20. Ensure the right of women to significant participation in the decision-making of all aspects of health, education, environment, local development, media, and others, including linguistically and culturally appropriate distribution and education.
21. Develop research with emphasis on the use of qualitative methodologies that permit familiarization with the perceptions, attitudes, and practices related to gender and expressions of gender inequality that prevail in the society of the Autonomous Regions.
<b>JURIDICAL-LEGAL</b>
1. Promote the ratification of international Labour Organization Convention 169, attempting to the improvement of its deficiencies, as well as its permanent evaluation by Indigenous Peoples.
2. Demand the full application of the Convention for the Elimination of all forms of Racial Discrimination (ICERD), as well as the Convention on the Elimination of forms of Discrimination against Women (CEDAW) and the Convention for the Prevention and Elimination of Violence against Women of Belem do Pará.
3. Facilitate spaces that harmonize and coordinate the national justice system with the structures and authorities of customary rights of Indigenous Peoples and Afro-descendents in correspondence with the multiethnic and multicultural composition, which make it necessary to readapt to and coordinate with the judicial institutions and forms of administration of justice in the Autonomous Regions.
4. Promote and develop a process of reform of the Statutes and Plans of arbitration of Indigenous Peoples and elaborate new ones where they are needed, as well as other internal regulations referring to the use of Indigenous lands, to elections, and census and registry systems.
5. Promote the formulation of a draft of constitutional reforms that ensure mechanisms of participation to elect representatives of Indigenous Peoples to the National Assembly and a law legitimates the validity and legality of existing titles to property, and that permit the titling and demarcation of those territories that do not have them.

6. Urge the Supreme Court of Justice to work for the full exercise of the administration of justice in time and form in the areas inhabited by Indigenous Peoples and Afro-descendants, including training for the reduction of criminalization for reasons of race, ethnic or geographic origin.
7. Motivate the work of the Commissions of both Autonomous Regions to follow-up on the administration of justice in accordance with the Indigenous right established in the Autonomy Statute and the Law of Judicial Power, ensuring the duty to respect the legal systems of Indigenous Peoples and Afro-descendants.
8. Reaffirm the urgency to review, update, and approve the statutes of the different Indigenous Peoples of the Pacific and Central- North. They must submit to review with Indigenous participation the Family Law, Law of Children, Law of Fishing, Law of Mining of Hydrocarbons, and other laws that directly or indirectly affect the rights of Indigenous Peoples.
9. Take measures to ensure the presence of translation in the mother tongues of Indigenous Peoples and Afro-descendants in all the cases of administration of justice.

#### ECONOMIC

1. Guarantee the right to ownership of the land and natural resources, in accordance with the Law of the Regimen of Communal Property of Indigenous Peoples and Ethnic Communities of the Autonomous Regions of the Atlantic Coast. Similarly, guarantee the respect of communal property of the Indigenous Peoples of the Pacific and Central-North.
2. Implement the full exercise of institutional environmental policies of conservation and protection that guarantee the use and equitable distribution of benefit from the environmental services and biodiversity, promoting and respecting the traditional knowledge of Indigenous Peoples, Afro-descendants and ethnic communities and their living together in equilibrium with the environment.
3. Promote the implementation of a regional system to ensure a transparent process in the granting and regulation of permits, licenses, guarantors, and concessions for the use of natural resources in the Autonomous Regions in correspondence with national, regional, municipal, and communal legislation.
4. Support the establishment of public policies directed at halting the advance of the agricultural frontier in the Autonomous Regions for which participatory forest certification and management must be promoted for the protection of protected areas.
5. Develop and implement sustainable development programs with the participation of Indigenous Peoples and Afro-descendants affected by environmental racism and other actors to confront and improve the health and environment, and consequently, the economic conditions of those communities.

Create awareness campaigns to promote recognition that environmental racism is a rights violation and a form of discrimination caused by governments and policies of the private sector.

6. Create prevention campaigns to avoid the degradation of biodiversity that in all its forms are manifestations of environmental racism and that principally affect Indigenous Peoples and Afro-descendants, as well as other vulnerable populations.
7. Demand that the State put in practice the principle of Free, Prior, and Informed Consent in all its development plans and projects in the lands and territories of Indigenous Peoples and ethnic communities, with a full process of distribution and sharing of information in the mother tongues of Indigenous Peoples and Afro-descendants, with sufficient time for communities to carry out traditional decision-making processes.
8. Require plans of environmental impact mitigation from companies that access and/or exploit natural resources, in accordance with the Law of the Environment and Natural Resources.
9. Encourage economic investment initiatives of Indigenous Peoples and Afro-descendants, prioritizing relationships of exchange with equivalent programs in other countries.
10. Support the commercial and productive exchange of all regions of the country and with other Caribbean countries, building on their geographic, socio-cultural, productive, and market similarities.
11. Create mechanisms to guarantee access to financial credit for small businesses in Indigenous and Afro-descendent communities, including micro-credit programs for women in those communities.

#### POLITICAL

1. Promote and support the development of regional, local, and community organizations and institutions of Indigenous and Afro-descendent communities, strengthening their technical, organizational, productive, and management capacities, with special attention to women, in different contexts.
2. Establish policies and laws that guarantee Indigenous and Afro-descendent representation in the National Assembly and the Central American Parliament.
3. Promote the egalitarian participation of Indigenous and Afro-descendent women in the director positions and in different central and regional government institutions, as well as regional and municipal administrative bodies.
4. Promote the arrangement of an effective delineation of mandates and duties among Autonomous institutions in the different levels of regional, municipal, and communal autonomy, as well as within the Central Government.
5. Design electoral mechanisms that guarantee the civic participation of Indigenous Peoples and Afro-descendants, in accordance with the particularities of each community.
6. Guarantee equitable participation of government institutions of the Autonomous Regions and civil society in the Foreign Service in areas

of diplomatic interest, countries, international bodies, and governmental institutions, through the designation of professionals from the Caribbean Coast.

7. Require that the State ensure that public officials, agents of the law and of criminal justice act in a non-discriminatory manner, and have specific training programs on anti-racism and gender awareness.
8. Guarantee transparency through the application of planning procedures and follow up, from civic participation to legal mechanisms, for the punishment of acts of premeditated malfunctioning and/or corruption of the authorities.

9.2 ACTIONS AT THE LOCAL AND COMMUNITY LEVELS	
CULTURAL	
1.	Strengthen autonomous organizations that promote culture and identity of Indigenous Peoples and Afro-descendants.
2.	Elaborate and promote programs for the research, recovery, and preservation of the mother tongues of Indigenous Peoples and Afro-descendants.
3.	Support and promote the cultural celebrations of Indigenous and Afro-descendent communities.
4.	Promote projects for the practice and preservation of modes of production, preparation, and recovery of traditional foods, including programs for the intergenerational transferal of traditional knowledge.
5.	Establish and create favorable conditions for a new type of dialogue based on the full participation of all social actors, in a framework of valuing, accepting, and respecting others.
6.	Demand support for the establishment and strengthening of Indigenous Peoples' and Afro-descendants' own media and communications, and spaces through which they can access all the other non-Indigenous information media to diffuse a dignified concept of what they are and what they propose.
7.	Integrate the participation of youth in regional issues to raise their consciousness and strengthen their sense of identity.
8.	Generate processes of visibilization of Indigenous and Afro-descendent leadership with promotion and training of leaders.
9.	Implement programs on structural racism and discrimination with groups of diverse geographic origins, ethnicities, genders, and ages, with the goal of promoting interculturalism among Indigenous, Afro-descendent, and ethnic communities.

10. Conduct exchanges between Indigenous and Afro-descendent populations at the regional, national and international levels.
<b>SOCIAL</b>
1. Ensure the material and human resources for the implementation of the Regional Autonomous Educational System, integrating the perspectives, knowledge, and cosmovisions of Indigenous and Afro-descendent communities in educational curricula, plans, and programs.
2. Implement educational curricula in a way that eliminates elements that promote racism and racial discrimination or that reinforce negative stereotypes.
3. Strengthen and promote traditional forms of education, including oral histories, of Indigenous Peoples and Afro-descendents.
4. Create prevention campaigns with society in general to cease explicit or implicit practices of psychological violence against Indigenous Peoples and Afro-descendents, which treat them as inferior beings or second-class citizens, offending their human dignity. These practices are racist and discriminatory of the internal colonialism that characterizes contemporary Central American society.
5. Motivate and strengthen traditional medicine through the promotion, research, and experiences that exist in the Autonomous Regions, certifying people who use those traditional methods and providing them with the support necessary to develop their activities and assuring the budget for their functioning.
6. Develop the capacity of the true actors of health management of the peoples of the Caribbean Coast, adding greater representation of Costeño professionals in the health systems.
7. Promote spaces of dialogue between women of diverse ethnicities, creating strategies to increase the participation of women in all sectors of civil society or other programs and social projects.
8. Open spaces of participation in gender trainings where men and women can share their points of view, creating informal spaces of debate and reflection among various groups like students, teachers, businesspeople, etc.
9. Develop awareness programs on racism and discrimination, offering them to Church directors, including to Boards of Directors and clergy.
<b>JURIDICAL-LEGAL</b>
1. Develop awareness programs and distribute materials and information about the juridical-legal framework that protects the individual and collective rights of Indigenous Peoples and Afro-descendents.
2. Promote and support programs on the civil and political rights of Indigenous Peoples, Afro-descendents with respect to access to justice.
3. Strengthen traditional institutions of justice in Indigenous and Afro-descendent communities.

**ECONOMIC**

1. Develop and distribute materials and information about the collective rights of Indigenous Peoples and Afro-descendants with respect to their communal lands, territories, and natural resources.
2. Encourage the mobilization and training of Indigenous communities around the demarcation and titling of their communal territories.
3. Promote educational campaigns to civil society about the impact of environmental racism and the protection of natural resources.
4. Strengthen the traditional forms of production and commercial exchange of Indigenous Peoples and Afro-descendent communities.
5. Develop cooperatives and networks of small and medium businesses to share skills, experiences, and information, with the goal of improving their economic viability.
6. Develop and distribute materials and information about economic/financial practices and strategies of small and medium businesses.

**POLITICAL**

1. Strengthen the technical, organizational, productive, and management capacities of Indigenous and Afro-descendent organizations, including those of women, in different contexts.
2. Ensure the delineation of functions between the municipalities and Indigenous communities that are located within their jurisdiction to avoid overlap of functions between municipal autonomy and community autonomy.
3. Ensure through legal measure budget allocations and transfers for projects and functions of communal and territorial governments.
4. Develop and promote leadership programs and support so that Indigenous and Afro-descendent women can increase their participation in public affairs, including political posts.

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ANNEXES
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## Interviews conducted in Bilwi, RAAN:

Name	Affiliation	Ethnicity/ Self-Identification	Date
Rodolfo French	Priest, Catholic Church	Miskitu	3 October 2006
Rigoberto Garbath	CRAAN	Kriole	19 September 2006
Aricio Genaro	CRAAN- MASAKU	Mayangna	19 September 2006
Rosalina Gutierrez	Marena	Mestizo	29 September 2006
Julián Colmes	Justice, Appellate Court	Kriole/Miskitu	2 October 2006
Centuriano Knight	CRAAN-YATAMA	Miskitu	19 September 2006
Benalicia Lucas	Director, Escuela Normal	Miskitu	2 October 2006
Melba McClean	CIDCA	Mayangna	29 September, 5 October 2006
Aurelia Paterson	SUKAWALA	Mayangna	19 September 2006
Leslie Rocha	CRAAN	Mestizo	22 September 2006

## Interviews conducted in Managua and Indigenous communities of the Pacific and Central-North:

Name	Affiliation	Ethnicity/Self-identification	Date
Fernando Jambrina	Proyecto Derechos Humanos UE/CISP	White	12 October, 2006
Flor de Maria Monterrey	MINSAs Central	Mestiza	11 October, 2006
Gerardo Gutiérrez	Acción Medica Cristiana	Mestizo	16 October, 2006
Helen Gomez	Activist	Mayangna	17 October, 2006
Tania Navarro	Student from the Coast	Kriole	9 October, 2006
Joel Dixon	MAKALAHNA- Bocay	Mayangna	10 October, 2006
Rolando Davis	Mayangna Sauni Bu	Mayangna	10 October, 2006
Azucena Dixon	Mayangna Sauni Bu	Mayangna	10 October, 2006
Marcos Serapio Martínez	Kipla Sait Tasbaika Kum	Miskitu	11 October, 2006
Primitivo Hernández	Miskitu Indian Tasbaika Kum	Miskitu	11 October, 2006
Noel Coleman	Mayangna Sauni Arungka	Mayangna	14 October, 2006
Ilario Lacayo	Mayangna Sauni Bas	Mayangna	14 October, 2006
Evenor Ismael	Iglesia Morava- Managua	Mayangna	14 October, 2006
Thelma Renner	Mayangna Sauni As	Mayangna	10 October, 2006
Roger Montoya	Sutiaba- Junta Directiva Comunal	Indigenous	16 October, 2006
Boanerges Perez	Member of the Directive	Indigenous	17 October, 2006

	Board, Indigenous Community of Sebaco		
Néstor Dávila	Museo Indígena de Chagüitillo	Indigenous	17 October, 2006
Carla Bush	KEPA-FINLANDIA	Kriole	21 October, 2006

## Interviews conducted in Bluefields, RAAS:

Name	Affiliation	Ethnicity/Self-identification	Date
Luis Gutiérrez	Municipal Mayor, Bluefields	Mestizo	23 October, 2006
Keida Cebedo	Administrator, Regional Government RAAS	Kriole	23 October, 2006
Nubia Ordóñez	IPILC-URACCAN	Kriole	24 October, 2006
Iris Alfaro	GRAAS	Mestiza	24 October, 2006
Luci Solis		Garifuna	24 October, 2006

## Focus groups conducted in Bilwi, RAAN:

Type	No. of participants	Institution	Ethnicities	Date
Students	6		Kriole, Mestizo, Miskitu (ages 16-24)	23 September 2006
Students	6	Escuela Normal Gran Ducado de Luxemburgo	Mestizo, Miskitu (ages 16-21)	4 October 2006
Businesses	9	Association of Women Business Owners	Kriole, Mestizo, Miskitu	15 October 2006
Human Rights groups	5	CEDEHCA, TESIS, Procuraduría de la Defensa de los Derechos Humanos, Movimiento Mujeres Nidia White, Mifamilia	Kriole, Mestizo, Miskitu	16 October 2006

## Focus groups conducted in Bluefields, RAAN:

Type	No of. participants	Place	Date
Students at Rama School of Leadership	5	Bluefields	25 October, 2006
Miembros comunidad garifuna	5	Bluefields	25 October, 2006

Focus groups conducted in Managua, and Pacific and Central-North communities:

Type	No of participants	Place	Date
Journalists	3	Managua	11 October, 2006
Women	6	Moravian Church, Managua	14 October, 2006
Indigenous leaders	7	Territorial government, BOSAWAS	11 October, 2006
Indigenous leaders	7	Sutiaba	16 October, 2006
Indigenous leaders	5	Sebaco	17 October, 2006
University Students	5	Leon	16 October, 2006
University Students from the Caribbean Coast	7	Managua	13 October, 2006

## INSTRUMENTS UTILIZED

The following questions were used for the individual interviews (conducted in Spanish):

- How do you define racism?
- In what form does racism occur, from a cultural point of view?
- From a social point of view?
- Do you see an impact of racism on gender relations?
- In the political sphere, how does racism impact civic participation and democracy?
- In what way does racism impact the exercise of human rights?
- In the economic sphere, what is the impact of racism of relations of equality?
- Can you talk about the structures inherited from colonialism in current society that perpetuate the ideology?
- What are the new forms of internal and external colonization and what is their impact?
- What is the government (central, regional, and/or municipal) doing to fight against racism?
- What are other organizations like schools, churches, and NGOs doing to fight against racism?
- What measures could be adopted to reduce racism and other ethnic conflict?
- Do you think that racism will increase or decrease in Nicaragua?

The following questions were used for the focus groups (conducted in Spanish):

- In what way does racism or discrimination occur against Indigenous peoples and/or Afro-descendants in the cultural, social, juridical-legal, political, or economic spheres?
- Do you see an impact of racism on gender relations? On civic participation and democracy?
- Can you talk about the structures inherited from colonialism in current society that perpetuate the ideology?
- What are the new forms of internal and external colonization and what is their impact?
- What is the government (central, regional, and/or municipal) or other organizations doing to fight against racism?
- What measures could be adopted to fight against racism?
- Do you think that racism will increase or decrease in Nicaragua?

## Guide for the interviews

1. Forms of colonization
  - a. Periods of colonization that are identified
  - b. Types of colonization (social, political, cultural, economic)

- c. Impact of each stage of colonization in the socio-cultural life of different Indigenous Peoples, Afro-descendants and Ethnic Communities (Mestizos, Indigenous from the Pacific, Caribbean Coast, Afro-descendants)
2. Organizations inherited from colonialism that reproduces racist ideology
  - a. Structures at the social or political level (State), currently maintain from the colonial period or reproduce racist ideology in current society (churches, political parties, State institutions in national, regional, municipal, communal levels, media) that increase, decrease, or hide it
3. New forms of external colonization
  - Market
  - Agreements (e.g., CAFTA, Plan Puebla Panamá)
  - Relationship of Nicaragua with other countries
  - International cooperation
  - churches
4. Internal colonization
  - a. What is identified as internal colonization?
  - b. Who carries out such colonization and toward what social or ethnic groups?
  - c. What impact does it have on the formation or change of ethnic identity?
  - d. Agricultural frontier – internal displacements in Nicaragua
  - e. Limitations that youth, women, men find when moving from their original region (education, social, etc.) toward “urban” centers or outside of the country
5. Expressions of racism
  - a. Toward Indigenous Peoples (pacific, north and central / Caribbean Coast) and Afro-descendants
    - i. Political participation
    - ii. Legal – human rights
    - iii. Economic
  - b. What is the relationship between racism and social inequality in Nicaragua?
  - c. Are Indigenous and Afro-descendent women as victims of ideas/preconceptions or actions more racist in comparison with men in the same groups? How do you explain that?
  - d. What impact does current racism have on Indigenous or Afro-descendent culture?
  - e. What are the cultural manifestations of racism?
  - f. Identification of changes in racism and discrimination (women, men, youth)
6. Demands by group
  - a. What are the demands to change the situation of racism?

- b. What changes has the State implemented to meet those demands? (national, regional, international)
  - i. What has been the level of fulfillment of demands?
  - ii. Why has there not been fulfillment?
  - iii. What is the impact on the communities?
- c. What has been the participation of civil society – coordination with communities, influence in the governmental level - State

#### 7. Trends of racism

- Evaluation of improvement or lack thereof of the situation of racism
- If it has improved or not, why? (advances in the legal framework, living together in society, etc.)