

CEDEHCA

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Panel: Necessary conditions for the effective political participation of ethnic minorities

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Central American societies are intrinsically multicultural and multinational. However, since the beginning their institutions were conceived and imposed to watch over the interests of hegemonic groups, systematically marginalizing other peoples considered threats to the control imposed over the economy, politics, and culture. The reduced judicial order in defence of the recognition of indigenous peoples and Afro-descendants should be seen from the background of the formation of the state and its monoethnic and exclusive citizenship forms.

It wasn't until the middle of the 80s and later that indigenous and Afro-descendant organizations participated actively in the armed movements that shook the region, particularly in Guatemala and Nicaragua, and that ethnocultural descriptions began to explicitly appear in the State discourse and the political or administrative agreements of the region.

Confronting the profound crisis that at the time wasted Central American societies and states, the five presidents of the era, after difficult negotiations exacerbated by strong pressures they knew how to resist, subscribed in 1987 to the historical agreements of Esquipulas I & II, considered as an extraordinary agreement, and the agreement reflected the political will assumed from a regional vision and perspective.

In addition to the pacification of the region, the process of Esquipulas marks the beginning of the deepening of representative democracy in Central America. Before the event of this year in Honduras, all the governments in the region were elected democratically and although there have been cases of doubt and suspicion, the participants in electoral contests accept the legitimacy of the results. Because of this, the aspects of peace and representative democracy can be affirmed, and the results of Esquipulas I & II are extremely positive.

That political will to work for peace and deepen formal democracy, unfortunately, was not made extensive in other aspects contemplated in the agreements of Esquipulas. The fight against poverty, inequality, the exclusion of indigenous and Afro-descendant peoples, as well as other grave social and

economic problems that were the true causes and background of armed conflict that for many years made Central American countries mourn, were never fully addressed.

After more than two decades of validity of the process of Esquipulas, poverty among Central Americans is greater and the democratic deficit in respect to the presence and effective participation of indigenous and Afro-descendant peoples still persist, conditioned by structures of power derived from a historical legacy of exclusion that brings with it all its discriminatory effects.

Despite the fact that the majority of the population in Guatemala is indigenous, their absence in the ambits of decision-making and political power is notorious. Equally, Afro-descendants and indigenous peoples in other countries of the region—it is true that in some cases they exercise certain influence as pressure groups from civil society—also find themselves limited in their access to the ambits of power.

However, it is necessary to recognize the advances achieved in Nicaragua in regards to a greater presence and participation of indigenous and Afro-descendant representatives in the different political spheres of the country under the protection of the Political Constitution of 1987, which expressly establishes: “Nicaragua is a multiethnic and multicultural country.” Thereafter, the statute for the autonomy of the Caribbean coast was approved (Law 28), the region where the greatest concentration of indigenous and Afro-descendant peoples can be found.

Different from the rest of the country, the Nicaraguan Caribbean was colonized by Great Britain and experienced a unique historical, political, social and cultural evolution. While in the pacific zone the Spanish-speaking mestizo race that largely identifies with the Catholic church is predominant, in the Nicaraguan Caribbean the population is multiethnic and multicultural and is comprised by indigenous peoples (Miskitu, Mayagnas, Ramas), Afro-descendant peoples (Kriols, Garifunas), and mestizos who migrated from the interior and pacific zones. In addition to Spanish, English, Miskitu and Sumo-Mayagna are spoken and the Protestant Christian denominations like the Morava, Baptist, Anglican, Adventist, etc. churches have a strong influence.

It wasn't until 1984 that the government of Nicaragua, against the will of the Caribbean population and through the use of arms, achieved the annexation of the Caribbean coast then denominated La Mosquitia, which counted with its own system of government. Among the first measures adopted after the annexation which stands out is the delegitimation of the Afro-descendant population by implying that they were Jamaican invaders, even though the majority had been present in our Caribbean coast for various generations.

The communal lands of the indigenous peoples were confiscated by declaring them “national lands,” to then distribute them between the followers and partisans of the government of the Pacific. Additionally, it was established that the teaching in schools and colleges would be obligatorily taught only in Spanish,

excluding English and the indigenous languages historically used in the region. In effect, a policy of internal colonialism was imposed and its vestiges are still felt today.

The report on the human development of Nicaragua highlights that 11 out of the 25 poorest municipalities of the country are in the Caribbean Coast; the level of unemployment is 90%, two times greater than the national rate and the average rate of schooling is 2.2 years in comparison to the national rate of 6.8

This brief historical outline allows for a better understanding of the context in which the fight against racism and discrimination in Nicaragua is undertaken, the product of which brings forward the statute of autonomy as a solution and this would represent the principal historical vindication of our peoples.

In effect since 1990, the statute of autonomy seeks to revert and dismantle the policy of internal colonialism imposed upon the Nicaraguan Caribbean. It established the creation of two regional autonomous governments formed of 90 elected councils, guaranteeing ethnic representation independent of its population number.

With the autonomy of the Caribbean coast, a model of multiethnic democracy will be established imbued with new laws approved by the National Assembly, with the purpose that they contribute to the consolidation of the legal framework for autonomy and the prevention of major conflicts.

Among these, the law on languages can be mentioned; the regional model of health integrated to the general health law; the autonomous regional educational system (SEAR) recognized as a new subsystem in the Nicaraguan education; the law on demarcation and entitling of communal property (Law 445); as well as the organic law of judicial power that established the creation of a justice administration model for autonomous regions that incorporates common law.

The codification of the crime of racial discrimination has been achieved and the law on public information access contains central aspects of the respect of the right to information in the languages of indigenous and Afro-descendant peoples, as well as the integration of a representative of the Caribbean in the National Council for Public Information Access. Equally, two community universities have been created in the Caribbean coast as well as indigenous and Afro-descendant civil society organizations that promote and defend the rights of these peoples.

It is important to highlight that this fight against racism and discrimination is undertaken in all scenarios including in the political field, where it is intended to identify possible strategic allies. From there, the expectations regarding the alliance between the regional Yatama party, whose principal base is formed by indigenous and Afro-descendant peoples, and the FSLN, the political party in government that defends the consolidation and strengthening of autonomy in the Nicaraguan Caribbean as its strategic

project, is considered the fundamental link for the promotion of the multiethnic democracy hallowed in the Political Constitution of the country.

As a result of that alliance, it was possible to elect two indigenous individuals and an Afro-descendant woman as Representatives in the National Assembly and an indigenous individual and an Afro-descendant as Representatives in the Central American Parliament. In this manner, the number of Afro-descendants and indigenous people in executive positions at the level of the central government has been notably increased.

Notwithstanding the aforementioned points, the breach between rhetoric and reality persists, provoking that the ideals of autonomy continue to be seen as mere aspirations and the fundamental subjects of this process of autonomy, which are the indigenous and Afro-descendant peoples, see time and time again their possibilities reduced to participate in the election process and in the formulation and implementation of public policies in conditions of equality in front of an overwhelming mestizo majority. It is therefore required to implement profound reforms in electoral law and the law for the identification of citizenship and that the indigenous and Afro-descendant agenda is included in the plans of national development and to strengthen regional integration.

The legitimacy of the States and stability in Central American societies requires the full acceptance of the multiethnic and multicultural nature of our countries, promoting and respecting judicial norms within the context of a multiethnic democracy, guaranteeing a just and effective participation of all the peoples that form the Central American homeland.