

Technical aspects for the implementation of urban projects in indigenous and Afro-descendant territories of Nicaragua



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I. Bases prior to the consultation / implementation of urban projects that must be fulfilled by the State of Nicaragua.

1. Demographic and socioeconomic census of indigenous and Afro-descendant territories.

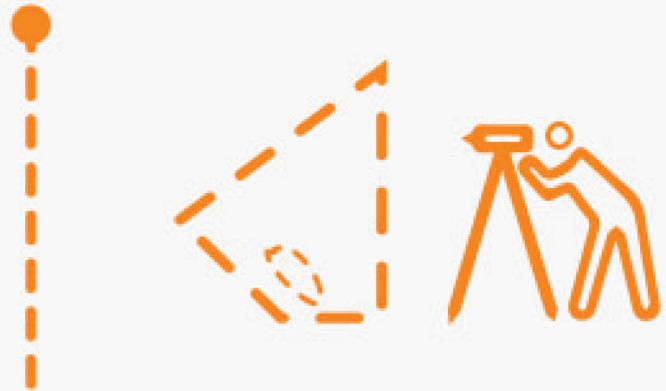


There are disparities between the population accounted by the official demographic data of the Nicaraguan government and the total real population that inhabits the territories. These disparities are also present in the case of the Rama and Kriol territory, affected by the Interoceanic Grand Canal project and its subprojects, such as the deepwater port.

The difficult physical access to the places where these populations are settled makes demographic records difficult; however, we consider that it is the responsibility of the government of the State of Nicaragua, in coordination with indigenous and Afro-descendant peoples, to perform these counts as an initial phase to request the realization of megaprojects in traditional territories.



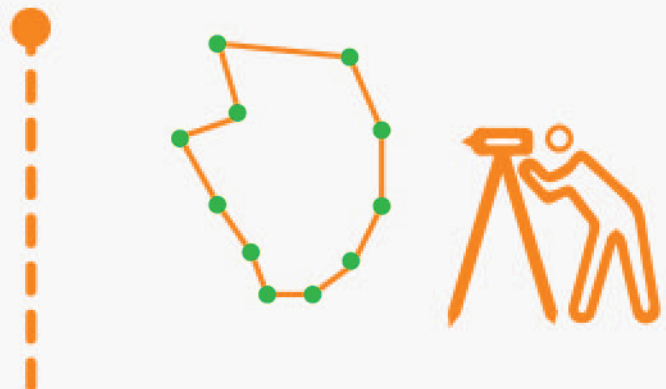
2. Map of the indigenous and Afro-descendant territories of Nicaragua.



Because the project of the Grand Interoceanic Canal, and the subprojects like the Deepwater Port in the city of Bluefields are enterprises with continental impacts, the location of indigenous and Afro-descendant population must be placed within the official maps of Nicaragua, as well as the demarcation of their traditional territories. This has the objective of clearly communicating the physical presence of the communities impacted by urbanization projects for the national non-indigenous and international community.

This stage must contain identification studies for the territorial delimitation of indigenous and Afro-descendants lands. Likewise, the map should reflect the ethnic-cultural specificities of each town/population.

3. Physical and geo-referenced demarcation of indigenous and Afro-descendants territories of Nicaragua.



Establishment of physical limits of the territories.

4. Location plan for territories invaded by non-indigenous peoples.



5. Plan of resettlement of non-indigenous who currently occupy traditional territories of indigenous and Afro-descendants population.

6. National Strategic Plan for Protected Areas.

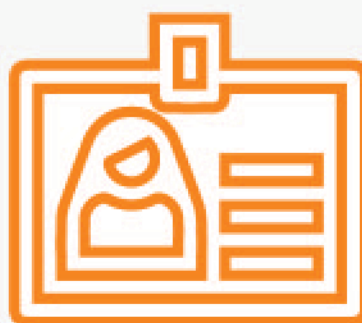


7. Inspection and monitoring of socioenvironmental policy

Policies to prevent deforestation, impacts on protected areas occupied by indigenous and Afro-descendants, and protect these areas from invasions of non-indigenous population.

8. Legal recognition for indigenous and Afro-descendants population.

Registration and documentation of these populations with specific identity documents that identify the indigenous / Afro-descendant population to which they belong.



9. Recognition and action plan of the demands of each community.

Establish agreements between these populations, the municipality, the region and the government of Nicaragua. The identification of these needs could be subdivided in the fields of education, intercultural health, food security, among others.

10. Plan to combat deforestation, illegal fires and illegal activities in indigenous and Afro-descendant territories, and protected areas.



Negotiation due to megaprojects in traditional indigenous and Afro-descendant territories located in protected areas

In this phase we introduce some of the basic aspects to be presented to the communities affected by any type of urbanization project. This has the objective of initiating dialogues with the indigenous and Afro-descendant population for the approval or rejection of any planned project in their territories.

Similarly, we must acknowledge the OIT Convention No. 169 on indigenous and tribal populations that determines that the right of possession over lands traditionally occupied by indigenous peoples on the planet must be recognized. According to Article 17, indigenous peoples should be consulted whenever their ability to dispose of their lands or otherwise transfer their rights over these lands outside their community is considered.



Interoceanic Canal Subproject of a Deepwater Port in the Southern Caribbean of Nicaragua: Aspects necessary to present to the affected communities

1. Consultation processes.

Consultation processes must be carried out in the 9 communities that make up the Rama and Kriol territory, in the territory of the Black Creole and indigenous community of Bluefields and the population of the city of Bluefields.



2. Master plan of the project.

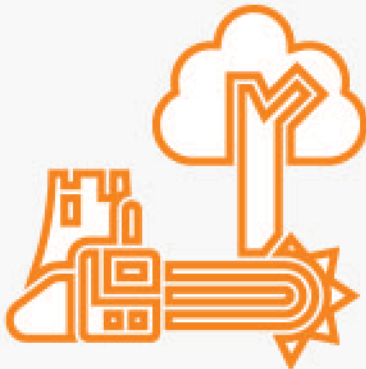
In the consultations made to the affected communities it is necessary to present a Master Plan of the project that physically locates all the spatial interventions that each subproject of the Grand Interoceanic Canal (GIC) will impact within the territories. The Master Plan must contain a current land use plan before the megaproject (Map of the indigenous and Afro-descendant territories of Nicaragua) and a future land use plan that reflects what it will look like upon completion of the project.



3. Spatial description of the GIC subprojects.

Each subproject of the GIC must contain a breakdown of the projects that comprise it and its physical location in the territory where these interventions will be carried out

Ex. Deepwater Port - breakdown of the perimeter of the maritime infrastructure that will be placed to build the port along with a radius of impact on traditional fishing activity. Location of urbanization projects such as docks, refineries, customs offices, warehouses to store products brought by ships, location of a road network that would transport the products brought by ships, etc. Documentation must also be provided on the specification of products to be transported in the event of accidents, such as an oil spill when transporting oil.

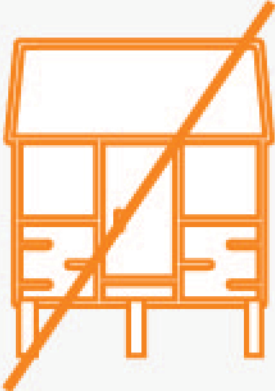


4. Map of environmental impacts.

Forest areas impacted by the project should be located, along with the estimation of the amount of biomass, due to the felling of trees, to be removed by these interventions.

5. Reforestation plan.

In order to protect the affected areas, a reforestation plan is required that will compensate for the number of biomass, removed through the felling of trees, for the implementation of urban projects.

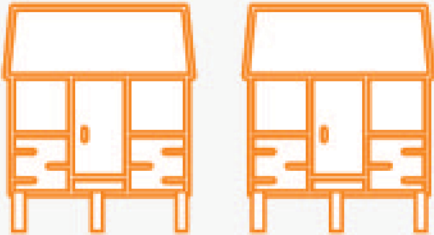


6. Social impact map.

Location of the communities inhabited by indigenous and Afro-descendant peoples to be displaced by the project. It is vitally important to locate sacred spaces that the communities clearly communicate and cannot be interfered with based on their spiritual character.

7. Technical registration of affected communities and families that would be displaced by the project, financial compensation and land proposal with the characteristics necessary for traditional community lifestyle.

The compensation proposal must contain a pre-resettlement financing where the inhabitants will live temporarily while the construction is completed on the housing / community where they will be resettled. The places of temporary and permanent occupation, as well as the granted lands, must contain similar physical and habitat characteristics for the maintenance of the affected families in their traditional way. Because the initial crop generation will require additional time, a food supply must be provided while the first crop is produced in the new communities



8. Resettlement plan.

In the case of moving communities to carry out the construction works, a resettlement plan negotiated with the communities themselves is required, which establishes the aspects required by them, with the construction systems and natural characteristics demanded in the new settlement.

9. Displacement plan proposed by the megaproject.

Given that traditional territories will be impacted for the use and occupation of a foreign project, it is necessary to clearly define the future areas of free transit and access proposed for the impacted native people. In addition, based on the plans of the megaproject, there must also be a definition to the areas where they will not be able to access in the future.



10. Lease payment

If any urban project is carried out in indigenous and Afro-descendant territories in Nicaragua, payments must be made for the leases of the territory to the territorial governments impacted by the project.

These guidelines presented are some basic aspects to be socialized and negotiated with indigenous and Afro-descendant people affected by any urban project. The highest authority to decide, negotiate, approve or reject these urban proposals are the communal and / or territorial assemblies of indigenous and Afro-descendant peoples affected by large projects in Nicaragua.



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