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Honduras' High Tech Land Solution Shows Low Regard For Garifunas

by LADB Staff

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The Garifunas, who just last year had reason to hope that the historic land-title disputes that threaten their centuries-long tenure in Honduras were at an end, now fear renewed battles for control of their properties. The problem, from the Garifuna point of view, is that recent legislation that promised to legitimize individual titles fails to recognize their communal ownership systems and is more about internationally driven development schemes than legalization of their tenancy.

Garifunas are descendants of survivors of a 1635 wreck of two Spanish ships near the West Indies island of St. Vincent. These blacks, intended for slavery, intermarried with Arawak-speaking Carib peoples, becoming the Garinagu people, now known as Garifuna.

In 1795, the British relocated them to the Honduran island of Roatan, from where they populated the coast from Belize to Nicaragua. Today they number around 200,000 in Honduras, 3% of the population. Most live in 36 communities in the northernmost departments: Gracias a Dios, Colon, Atlantida, and Cortes.

Perpetual aggression, internal colonialism

Miriam Miranda, director of the Organizacion Fraternal Negra de Honduras (OFRANEH), said that, despite the stated commitment to Garifuna rights by a succession of governments, "a perpetual policy of aggression and internal colonialism has existed, which has resulted in the annihilation of ancestral lands and traditional culture (see NotiCen, 1997-08-21 and 2003-03-20). The policy has persisted despite changing political administrations and Honduras' signing of the International Labor Organization's Convention on Indigenous and Tribal Peoples in Independent Countries (ILO Convention 169)."

In September 2004, Garifunas celebrated when President Ricardo Maduro gave titles to 36 families in Tela, Atlantida, with promises of more to come. The director of the Instituto Nacional Agrario (INA) said at that time that "54% of the Garifuna population have ejido titles, the rest communal. Most confront conflicts of encroachment. The intention is to put an end to that."

But now, Garifunas say there will be no end to their problems. Before the Congress ratified the Ley de Propiedad (82-2004), which went into effect in June of that year, OFREDEH polled community leaders in San Juan Tela, finding massive rejection of the implementation of the law. "Unfortunately," said Miranda, "the legislative power neglected to take into account our position and approved the law without considering the serious consequences that its application will have for the indigenous and black communities of Honduras."

The problem is the solution

The problem is the Proyecto de Administracion de Tierras de Honduras (PATH), part of 82-2004. PATH is a project funded with US\$25 million from the World Bank, which describes its objective as, "To expand access to formal land titling, surveying, registration, and conflict-resolution mechanisms, as part of an integrated and decentralized land-administration system. The program aims to increase land security, facilitate land market transactions, develop national and municipal territorial plans, and develop management plans for protected areas, forests, and indigenous peoples' lands."

PATH is a high-tech, largely privately contracted project that utilizes computers, aerial photography, and other techniques to do digital map creation and administration, topological analysis, and information integration and sharing. It is now in the first phase of an effort that is projected to take 12 years to complete. In the end, there will be a national database available on the Web to local jurisdictions and municipalities. The project will eventually simplify land transfers and title searches, now a cumbersome process, through an administration system named Sistema Unificado de Registro (SURE).

The contractor for the project is Bentley Systems Inc., a US company; the system will be built around Bentley products. The company's MicroStation GeoGraphics will be used for map making and complex thematic and topological analysis. Bentley PowerWise will be used to manage data on infrastructure, topology, property ownership, and field data from surveyors. Maps will be cross-referenced to legal information and aerial photos. Bentley Publisher will be used to automatically publish cadastral maps, property titles, land-use regulations, and any other data for use with any standard Web browser.

PATH's chief developer Igor Zelaya said of the system, "Before, it took months to get the information for a property transfer. You'd have to go to the cadastre office, to the municipal office everyone had a different piece. And because the information wasn't centralized, you weren't sure it was reliable. This system brings security to the possession of land in our country." The government announced it would grant more than 700,000 titles in Comayagua, Francisco Moran, Choluteca, and in the departments of Garifuna concentration, Gracias a Dios, Atlantida, and Colon in the first year of the program.

But for her communities, Miranda says, "PATH is a way of individualizing property to include the entire country and allow open-pit mining, hydrocarbon exploitation, exploitative large-scale agrobusiness, and tourism. Our habitat is a temptation for real estate speculators and bioprospectors." Little hope, but Garifunas will fight on OFRANEH spokesperson Gregoria Flores said the project and the law that enables it really provide "long-term protection for foreign capital investment, which real estate investors consider a key to economic and eventually cultural domination." Garifuna organizations intend to fight incursions on their culture based on the dominant view of property relations and fault the World Bank for contradicting their own policy in funding it.

Celeo Alvarez Casildo of the Organizacion de Desarrollo Etnico Comunitario (ODECO) said the official bank policy on indigenous peoples acknowledges that their "identities, cultures, lands, and resources are uniquely intertwined and especially vulnerable to changes caused by development programs." Miranda said Garifunas intend to fight to preserve their traditional collective approach to property. "It is our duty to carry on with the struggle, in the name of our ancestors and, more importantly, so that our descendents will inherit the culture of their fathers and mothers and be able to live in a better world."

They see particular significance in the bank funding of PATH, suggesting a link between the bank's concern for easier disposition of properties and its contributions to the economic megaprojects like the Central America Free Trade Agreement (CAFTA), Plan Puebla Panama (PPP), and the Mesoamerican Biological Corridor (MBC). For communities that have traditionally marched to a different drummer, these initiatives add up to a single powerful effort to marginalize any but the economic and cultural norms of the developed world's paradigm. Miranda said that, while they will fight as a matter of duty, Garifuna leaders are generally pessimistic about their ability to defend communal rights against individual and private capital rights.

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