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Land Conflict Takes Deadly Turn in Northeastern Nicaragua

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Long-simmering property disputes in the Región Autónoma del Atlántico Norte (RAAN), in northeastern Nicaragua, have boiled over into a series of violent confrontations that left several people dead last month, including a high-ranking member of Yapti Tasba Masraka Nanih Aslatakanka (YATAMA), the political arm of the country’s Atlantic-coast indigenous groups.

The violence is centered in the isolated and impoverished Waspam municipality, near the Honduran border, where indigenous inhabitants, mostly of Miskito ethnicity, have complained for years about illegal encroachment on their communal lands by colonos (colonists), mestizo settlers who are pushing farther and farther into the RAAN to exploit its valuable hardwoods, clear forest space for cattle ranching, and, in some cases, set up clandestine drug-trafficking outposts.

In recent weeks, some indigenous residents "took up arms to try to expel" the newcomers, according to a Sept. 30 Associated Press (AP) report. The result was a series of clashes that killed at least nine people and injured 20. The upheaval has also displaced hundreds of Miskito inhabitants, with some seeking refuge across the border in Honduras, the news agency reported.

Others sources describe the attacks as going both ways and say the settlers have more and far better weapons at their disposal. "The confrontations continue and there are more deaths, but we still don’t know how many. But the colonos are the ones with weapons of war—AK-47s, Uzis, rifles, and plenty of ammunition. The Miskitos have homemade weapons. Here, in the area, there’s terror," Romel Constantino Washington, a Waspam-area indigenous leader, told the opposition daily La Prensa on Sept. 13.

One of those AK-47s took the life of Benito Francisco Ramos, 59, who died Sept. 12 in a Managua hospital more than a week after being shot several times during a standoff with colonos in Waspam’s Tasba Raya sector. La Prensa cited Ramos as the ninth victim (seven indigenous people, two colonos) since the surge of violence began. Two days later, a 10th person died—top-level YATAMA official Mario Leman Müller—following an attack on the party’s Waspam headquarters. Several other members of YATAMA suffered serious injuries.

Nancy Elizabeth Enríquez, a YATAMA alternate deputy and legal representative for the party, told the Nicaraguan news magazine Confidencial that the attack was carried out by "shock forces," armed militants affiliated with the governing Frente Sandinista de Liberación Nacional (FSLN). She described the attack as retaliation for YATAMA’s decision—in relation to the ongoing colono/indigenous conflict—not to participate in local Independence Day celebrations.

The Policía Nacional (PN) blamed the incident on YATAMA, saying party members provoked the confrontation by attacking "students, teachers, and parents" who participated in a "patriotic parade" that morning. The PN also accused YATAMA of "sowing unease and terror among residents by threatening to burn homes, health centers, schools, businesses, and public offices."

The next day, Sept. 15, another group of indigenous people sustained serious injuries when police and soldiers opened fire on a pickup traveling between Waspam and the community of Francia
Sirpi. One of the gunshot victims was Romel Constantino Washington, the indigenous leader who had been quoted in La Prensa just two days earlier. The victims claim they were deliberately targeted.

Authorities tell a different story, saying the driver of the pickup ran a police/military roadblock and ignored orders to stop. The circumstances echo an earlier incident, in July, when PN officers killed two children and their aunt in a botched ambush on a vehicle they suspected of transporting drugs (NotiCen, Aug. 6, 2015).

**The limits of Ley 445**

Vice President Omar Halleslevens, a retired Army general, denies that the police and military are taking sides, as some critics suggest. And in statements made to the press on Sept. 20, he called on the indigenous communities and colonos to resolve their differences through dialogue. "Our indigenous brothers over there have their concerns. And the colonos, who are also our brothers, should be listened to as well," said Halleslevens.

Local community leaders insist the issue is more cut and dried than that. From their perspective, encroachment on indigenous lands by mestizo settlers is a clear violation of Ley 445, legislation that was introduced in 2003 and, at least on paper, granted eastern Nicaragua’s indigenous groups communal property rights to the land in question. Rather than promote dialogue, they argue, the government ought to enforce the law, investigate cases of unlawful encroachment, and give indigenous communities their lands back.

Groups in Waspam and elsewhere in eastern Nicaragua’s autonomous regions acknowledge that the administration of President Daniel Ortega has made progress in recent years establishing land titles in accordance with Ley 445. But it has failed, they say, to address the issue of illegal tenancy by western settlers—despite repeated pleas from indigenous groups. That failure, they add, has encouraged even more encroachment by western settlers and left affected communities with no choice but to take matters into their own hands.

"This death wouldn’t have happened if Ley 445 had been [properly] implemented," Parlamento Centroamericano (PARLACEN) Deputy Loyd Bushey Davis told Confidencial shortly after Mario Leman Müller was killed. "[Authorities] need to review things case by case and expel the colonos from communal territories."

**Accusations in the AN**

President Ortega boasts that, in the past seven years, his administration has granted eastern indigenous communities more than 35,000 sq km of land titles. "That’s a whole country! An expanse of land that’s larger than El Salvador," he said Sept. 9 during an event commemorating the 36th anniversary of the establishment of the PN.

In the same speech, Ortega described encroachment by settlers as a "real invasion." But he also suggested that unscrupulous land peddlers are partly to blame. "The con artists arrive and contact community leaders, give them some money, and draw up paperwork, which has no validity, selling property to those who arrive from the Pacific," the president alleged.

Ortega’s comments are particularly noteworthy in the context of events that took place nearly two weeks later in the Asamblea Nacional (AN), Nicaragua’s unicameral legislature, where majority
leader Edwin Castro (FSLN) accused YATAMA Deputy Brooklyn Rivera, a former ally of the
governing party, of involvement in various illegal land deals. Castro also accused Rivera of inciting
the violence in Waspam as a way to divert attention from his alleged illegal activities and called on
the AN to strip the YATAMA deputy of his legislative immunity. Castro’s FSLN colleagues, who
have a commanding two-thirds majority in the legislature, heeded the call with 62 votes in favor
(versus 22 against), essentially ousting Rivera from the AN.

The 22 nay votes came from the opposition Partido Liberal Independiente (PLI), which has been powerless, since early 2012, to stop Ortega's FSLN from passing any and all legislations it chooses, including an extreme overhaul of the Constitution that, among other things, allows the president to seek re-election as many times as he or she chooses (NotiCen, Feb. 27, 2014). Nicaraguan leaders were previously limited to two nonconsecutive terms, rules that Ortega chose to ignore when he competed in—and eventually won—the country’s last presidential election, in November 2011 (NotiCen, Nov. 17, 2011).

A week after stripping Rivera of his immunity, the Sandinista-dominated AN voted to give
his vacated deputy seat to a member of the FSLN, Albertina Urbina Zelaya, rather than to the
YATAMA lawmaker’s official alternate, Noé Cóleman Damacio, a Mayagna indigenous woman
who also represents YATAMA. The Mayagna, also known as Sumu, are Nicaragua’s second-largest
indigenous group after the Miskito.

Decades-old antagonisms

Prior to leaving the AN, Rivera demanded that a committee be set up to examine the case against
him and look into FSLN involvement in the altercations in Waspam. PLI deputies supported the
idea but, without backing from the Sandinistas, were unable to put it into effect.

The YATAMA leader calls his ouster a "political show" and insists the accusations against him
are false. He also suggests that the PN, Army, and sectors within the FSLN have a vested interest
in illegal encroachment by colonos because of ties to lumber, ranching, and other profitable
businesses. "They think that by taking away my deputyship that are cutting my wings," he told Confidencial. "But before I was a deputy, I was a leader. And we’re going to continue fighting for
our lands."

Rivera’s removal comes a year and a half after YATAMA severed ties with the FSLN following
an eight-year alliance (NotiCen, April 3, 2014). The split came shortly after Ortega completed his
overhaul of the Constitution and two months before the AN voted to give the president direct
control of the Instituto Nacional Forestal (INAFORE), Nicaragua’s forestry service, a move some
critics—including YATAMA’s Nancy Enriquez—saw as suspicious given his presumed affiliation
with ALBA Forestal, a joint Nicaraguan-Venezuelan logging company.

Antagonisms between the FSLN and indigenous groups in the RAAN date back decades. In the 1980s, during their war against the US-backed contra fighters, Sandinista forces faced armed resistance from some indigenous inhabitants, including YATAMA leader Brooklyn Rivera (NotiCen, May 25, 1988). Arguably the darkest chapter in their shared history were the events of December 1981-January 1982, when Sandinistas—in response to a contra operation dubbed Navidad roja (red Christmas)—are believed to have killed numerous Miskito Indians near the Honduran border and forced thousands into refugee camps (NotiCen, May 17, 2012).
"It was a massacre. They bombed communities and gunned down people who were fleeing toward the Coco River, into Honduras," Osorno Coleman, a former Miskito rebel fighter, told La Prensa. "They burned towns and killed all the domestic animals. That took place in the same place, in Waspam, where the military has now moved back in."

-- End --