



CEJUDHCAN: INDIGENOUS LAND RIGHTS NGO

Lush Spring Prize 2018: **Established Project Award**

Nicaragua

Organisation founded: 2003

What is CEJUDHCAN?

CEJUDHCAN is a not-for-profit profit, NGO that provides educational programs, legal support and practical assistance to indigenous peoples and afro-descendant communities on the Caribbean Coast of Nicaragua. CEJUDHCAN assists these often threatened communities with confirming and protecting their communal land rights, and their rights for self-determination and autonomous governance. This includes a focus on identification and titling of communal lands and indigenous territories, linking this to practical training in participation and agroecology.

Key Project Information (at 2018):

Organisation name: Center for Justice and Human Rights of the Atlantic Coast of Nicaragua.

Location: Caribbean coastal territories of Nicaragua.

Climate: predominantly tropical.

Key words: indigenous land rights; women; youth; bio-intensive agriculture/agroecology.

Primary Beneficiaries: indigenous and african-descendant peoples and communities; women; youth.

Core education activity: indigenous and ethnic peoples' rights; women's empowerment and participation; youth leadership; bio-intensive agriculture.

Reach: 124 communities, across 9 local government districts.

CEJUDHCAN's Education Lessons

The importance of combining:

- high level work to confirm and protect indigenous peoples' rights to land through international courts and national law;
- practical training on bio-intensive agriculture, women's empowerment and youth leadership.

High Level Outputs & Outcomes:

- 325 Indigenous and afro-descendant communities, belonging to 23 territories on the Caribbean coast of Nicaragua, have won their communal land title through Law No. 445, The Law of the Communal Property Regime of the Indigenous Peoples and Ethnic Communities of the Atlantic Coast Autonomous Regions of Nicaragua and of the Coco, Indio and Maiz Rivers.
- Law 445 defines the legal mechanisms necessary for recognising and creating the entities that will provide follow-up and lead the process. There is a crosscutting precept in the law requiring a search for equitable processes for the region's population.



CEJUDHCAN's work links high level legal, policy and implementation work to on-the-ground practical training

- November 2013, the legal procedure manual for Law 445 was agreed with the 23 territorial governments, communal authorities, State institutions (National Police, National Army, Public Registry of Real Property, Supreme Court of Justice, CONADETI, Attorney General of the Republic at the Regional level) and Civil Society.
- Law No. 392 for promotion of the comprehensive development of youth, to be implemented as a norm for the Wangki Maya Territory.

Zayda Perez: a Beneficiary Story

Zayda Pérez, originally from the indigenous community of Uhry, Municipality of Waspam Río Coco. Zayda states that the most significant change for her is the strengthening of her capacity as a young leader, who now stands out in defence of the rights of children, adolescents and young people:

"Before I did not know the rights of women ... Now we know our rights, we know the mechanisms of how to defend and have our rights respected. We participate ... so that justice is done in the face of any type of violence and we make an impact when we visit the city of Waspam to defend our rights."

"In the community ... when a project is executed for the common good, the leaders and authorities give us space to work with them, where we take care of the supervision to guarantee that the project is carried out properly. Currently, in our community a nice school is being built and at the end of the work, there will be a saving ... [and] the community will decide its [own] investment."



An IPEN Case Study

International Permaculture Education Network (IPEN)

IPEN Case Studies have been enabled by the Lush Spring Prize

Case Study date:

December 2018



Sedy Pitanel, 63 years old from the community of Saklin

Sedy Pitanel’s Story – Community of Saklin

“I have never had the opportunity to work with orchards at my home before, only working at large farms. I am happy with my garden. I take care of it as if it were a precious possession. I dedicate exclusive time for the garden every day and the produce that I get from my garden has changed my way of life. My food is more nutritious and I have knowledge of how to make my garden productive.”

Sedy was one of 50 indigenous women trained by CEJUDHCAN to establish mixed vegetable gardens in the communities of Bilwaskarma, Saklin and Tuskru Sirpi of the Wangki Maya Territory.

CEJUDHCAN’s early and current story:

In 1997, the International Human Rights Law Group created an office in the Caribbean Coast of Nicaragua with the objective of strengthening local action and supporting activists in defense and promotion of their human rights. Their mandate was established in September 2003 through a transition to create a local NGO called the Center for Justice and Human Rights of the Atlantic Coast of Nicaragua (CEJUDHCAN) with a focus on protection and promotion of the rights of Indigenous Peoples and Ethnic Communities of the Caribbean Coast of Nicaragua.

CEJUDHCAN has achieved significant outcomes since 2003, yet its continuing work is as critically important now as it was then. In the last three years illegal settlers, known as ‘colonos’, are accused of carrying out armed attacks on at least 12 Indigenous communities that resulted in at least 34 Indigenous people being murdered, 44 physically injured, 22 abducted and four people reported as missing, plus homes and crops being burnt to the ground, and forest-fires, started maliciously, displacing entire communities. International corporations are also said to be systematically wreaking ecological damage that is severely impacting the communities’ land and natural resources including government-backed projects in mining, monoculture farming, hydroelectric dams and the controversial interoceanic canal that is planned to cut through the country to link the Atlantic and Pacific.

“Massive deforestation, plus the destruction and contamination of the water resources, is compromising the integrity of the territories’ natural resources and the cultural survival of the Indigenous communities ... mega-project initiatives, often pushed by international investors, represent a new form of colonisation. To gain full compliance with the laws that protect Indigenous rights, especially the territorial rights, indigenous governance and management of their natural resources for the benefit of the communities and their residents, we have demanded the Nicaragua State complete the Saneamiento, which means clearing the land of third parties, both illegal settlers and unsanctioned companies, which is the final phase of the titling process. The Government has blocked the implementation of this final step, so thus our struggle continues.”

Lottie Cunningham Wren, attorney and founder of CEJUDHCAN.

Good Practise: What CEJUDHCAN Has Done

CEJUDHCAN’s education and training activity has focused on:

- Indigenous peoples and ethnic communities’ rights
- Womens equality, empowerment and participation in community, legal and governmental processes
- Youth leadership programmes
- Bio-intensive agriculture training for women

In more detail:

- CEJUDHCAN is battling for the peoples’ land rights in national and international courts - at the request of 23 Indigenous Territorial Governments and people of African descent, CEJUDHCAN and a consortium of civil society organizations has created a forum for dialogue between the indigenous leaders and regional authorities, including agreed processes for securing their territorial rights.
- Improving the situations of indigenous women within their homes, communities and territories: supported by CEJUDHCAN’s work, indigenous women have moved into decision-making positions in community activity and territorial government and have shown their ability to promote issues of importance to their communities to organizations, institutions and the authorities, for the benefit of their community.



Lottie Cunningham Wren, an Indigenous Miskito attorney who founded CEJUDHCAN in 2003.

CEJUDHCAN’s Goals

Vision: The Indigenous Peoples and ethnic communities of the Caribbean Coast of Nicaragua enjoy free determination and guarantee of their individual and collective rights, with gender and generational equity and with access to social, economic and environmental justice in the defence and protection of their territories.

Mission: Facilitate and contribute to territorial governance, justice and environmental safety of indigenous peoples and ethnic communities of the Caribbean Coast, through actions that promote and ensure the protection of collective rights, and the enjoyment of their natural resources with gender and generational equity.

CEJUDHCAN contributes to these SDGs (Sustainable Development Goals) being achieved:



- CEJUDHCAN is training Miskito women, who felt unsafe farming at a distance from their homes, in bio-intensive agriculture (agroecology methods) so they can work safely on smaller lots of land closer to the community. They delivered to the women tools, tubers, vegetable seeds and training on how to establish home gardens. There are now more than 100 family gardens in seven communities of the Wangki Maya Territory.

- With the support of Diakonia and the European Union, CEJUDHCAN developed a training program for 50 young people (27 women and 23 men) on decision-making structures and processes, including democratic leadership with a gender perspective, social auditing methods and the forming of and discussion of Agendas and Risk Plans.

Among CEJUDHCAN's most important initiatives are that it has:

- Led a Caribbean Coast region and national campaign to denounce the presence of national and international private sector companies that have demonstrated bad practices in the exploitation of natural resources.
- Organized and run a space for civil society to monitor legislative compliance on the collective rights of indigenous peoples, within regulations on the Observance of the Autonomy, to put pressure on public institutions to advance the agreed legal process of removing illegal settlers from indigenous territories.

CEJUDHCAN's Ways of Working

CEJUDHCAN has facilitated this process through complementary actions that work together to effect change, such as:

Women

- Providing training to women, especially young women, in how to overcome conditions of inequality in their community and family
- Raising awareness within communal and territorial authorities of the importance of including women in decision-making bodies
- Training in developing home gardens as a strategy to reduce intra-familial violence and a vehicle for women's economic independence.

Communities

- Raising awareness of ways to increase economic independence for individuals and communities
- Providing information about communal land rights and strategies for defense of these rights

Youth

- Facilitated workshops in all aspects of community leadership
- Distributed workbooks and information on communal land rights and demarcation of territorial land boundaries
- Training on asserting human / communal rights in defence of indigenous territory

In particular, CEJUDHCAN has achieved these outcomes by:

- Collaborating with other civil society organisations
- Working through the Inter-American Court for Human Rights
- Targeting its efforts at key groups, including: 124 community governments, in 9 district governments (covering 124 communities).

Ongoing Challenges: among the challenges faced are advancing full implementation of and compliance with Law 445, such as:

- Completing the removal of illegal settlers to complete the titling process, which is complex due to the number of unlawful settlers in the territories and, in most cases, their lack of recognition of indigenous and afro-descendants rights and the representative organisations of these communities.

A major fear of some communities is that, despite having legal titles, they will not be able to exercise their rights of possession and use, to manage their territories and resources. They point to the need for state policies that support: programs of co-management of protected areas; transparency in financial transfers; phased removal of illegal settlers; financial support for the territories and their communities to develop sustainable programs; and development of communities' negotiating skills.

CEJUDHCAN works to ensure that public institutions implement the legal basis and process for removing illegal settlers from indigenous territories, in a definitive and lasting manner. This requires territorial restructuring by the State of Nicaragua, in accordance with the requirements established by Article 59 of Law 445. Until now, the Government has progressed the defining and titling of these territories, but not an interagency strategy to conclude the legalization of the territories of Indigenous and African Descent Peoples.

OUTCOMES Achieved

CEJUDHCAN programmes have strengthened community leadership capacities for understanding and adopting the legal framework that supports the territorial rights of indigenous peoples and peoples of African descent, to enable them to be more effective in their engagement with public institutions and other social actors.

Awás Tingni Legal Victory: In August 2001 CEJUDHCAN, together with other NGOs, attained a judgment in favour of the community of Awás Tingni vs State of Nicaragua, through the Inter-American Court's human rights system. This important judgment concluded that the State of Nicaragua had violated the rights of the Awás Tingni Mayangna community, by granting a concession for the exploitation of forest resources in their traditional territory, without the prior consent and by neglecting the constant demands of the Awás Tingni community for the demarcation of their territory.

CEJUDHCAN facilitated the negotiation between the Awás Tingni community and the State of Nicaragua, for the implementation of the Court ruling, and legally represented the community of Awás Tingni to the State of Nicaragua, to design a proposal for the process of defining and titling of the territory of AMASAU. The judgment resulted in the creation of a mechanism for defining and titling of indigenous territories in the Autonomous Regions of Nicaragua: Law No. 445, The Law of the communal ownership of Indigenous Peoples and Ethnic Communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and the Bocay, Coco, Indio and Maiz rivers. The judgment established the need for the Nicaraguan State to adopt a law that creates procedures to define boundaries and entitle indigenous lands traditionally occupied by these Peoples, to effectively protect their communal property.

Law No. 445 was adopted in 2003. This Law reflects the way in which the collective lands are owned and occupied by indigenous communities and afro-descendent, under a Community scheme in accordance with their customs and traditions, for the collective management of future generations. Law 445 recognizes the traditional communal authorities and provides them with a leading role in the process of defining the boundaries of their traditional communal lands.



Permaculture Ethics & Principles in Action

Although it is currently not directly involved in permaculture education, CEJUDHCAN fully embodies the ethics of Earth Care, People Care and Fair Share, from local to national levels.

Permaculture principles in action in CEJUDHCAN's work include:

Design from pattern to detail -

understanding the need for legal recognition and frameworks at global region level through the Inter-American Human Rights Court that enable indigenous and ethnic communities to protect and secure their rights at the local level.

Small and slow solutions - building on each step and on small successes, locally, regionally and in the Latin-American global region.

Integrate rather than segregate -

CEJUDHCAN works together with other civil society organisations, creating strength to achieve their mutual goals.

Make a small change for the largest effects -

whilst the law on indigenous peoples' land rights is 'no small feat', as a single change, secured from within a global human rights system, it can bring potentially huge benefits.

From Inspiration to Action

CEJUDHCAN should be a fantastic example to the permaculture world, inspiring us to learn from its example.

We can be inspired and seek to emulate in our own projects and movements:

- an organisation and movement using established systems of international law and human rights to protect and empower community rights from local to national levels;
- providing practical training to women and young people that enables them to meet their needs more effectively.

What experience from CEJUDHCAN could help your project, community or network:

- a) Linking high level working on protecting human rights through international and national law more directly to practical training in agroecology methods?
- b) Training young people and women to participate in local and regional decision making and local government systems?
- c) Like CEJUDHCAN, being willing to take on a big vision, big opposition and big challenges, whether nationally, regionally or locally?

The Difference arising from the Lush Spring Prize

CEJUDHCAN is using the £25,000 in funding from the Established Projects Award to address food and water security issues, advance ecological conservation and help complete the final phase of titling, to see the communities given the rights to their land and boundaries set.

Both financially and in terms of the wider sense of recognition and support, the Prize helps CEJUDHCAN in its continual work in the Atlantic coast region of Nicaragua to: a) establish the legal basis and process for securing indigenous peoples' land rights; b) to maintain bottom-up and top-down pressure for the full implementation of the laws to protect these rights; and c) to deliver training and information which enables indigenous and African-descent peoples to be more effective in ensuring that their rights and needs are met, whether that be through women's and young people's participation in local decision making, or through growing healthy organic food close to home.

To support and keep up to date with CEJUDHCAN's work, visit the centre's website at www.cejudhcan.org

Legal Status, Structure & Size - project start date: 2003: CEJUDHCAN is a registered Nicaraguan NGO who mission is to advance the human and ecological rights of indigenous Nicaraguans. It is an indigenous and women-led organization comprised of twelve staff, including five lawyers.

Funding, Finance, Resources: CEJUDHCAN is funded by international foundations, partner organizations, generous individuals and awards - such as the LUSH Spring Prize - who believe in the rights of indigenous people to their ancestral lands and as the guardians of the remaining tropical forests. CEJUDHCAN was a Lush Spring Prize Established Project Award winner (£25,000) in 2018.

Potential Areas for Collaboration with Project (Local, Regional, National or International)

Project Needs: donations to support CEJUDHCAN's work at: www.cejudhcan.org

Collaboration Opportunities: seeking international partners who can contribute work, wisdom and funding to the legal, landscape and leverage strategies that indigenous Nicaraguan communities are employing to secure their future. Specifically, we seek partners to assist with web development, communications, radio programming, photo and video documentation, legal and financial research, and much more. Please contact us if you would like to discuss a collaboration.

Contact Information

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