



Public Hearing before the Inter-American Court of Human Rights in the Case of the Interoceanic Canal for Nicaragua

The Inter-American Court of Human Rights will hold on February 2, 2023 the public hearing of the case *Pueblos Rama and Kriol v. Nicaragua* initiated in 2014 before the Inter-American Commission on Human Rights (IACHR), due to the lack of Free, Prior and Informed Consent (FPIC) of Law No. 800, the legal frame for the Grand Interoceanic Canal for Nicaragua (GCIN) and Law No. 840, which granted the GCIN Concession on indigenous and Afro-descendant lands.

These laws were not consulted with the indigenous and Afro-descendant communities of the Rama and Kriol Territory, and the Black Creole Indigenous Community of Bluefield (CNCIB), despite the fact that 52% of the GCIN route would cross their territories. Authorities of the Rama y Kriol Territorial Government (GTR-K) at the time denounced that the State of Nicaragua co-opted the president of the GTR-K and made him sign an alleged Covenant with the GCIN Authority that illegally grants it perpetual lease on 263 km² of land in the heart of their ancestral territory.

Likewise, the CNCIB also denounced that the State of Nicaragua imposed a parallel government to the one legally constituted by the CNCIB; it aborted the titling process for its traditional territory; it illegally removed the Creole representative in the National Demarcation and Titling Commission (CONADETI) and handed over to the parallel government only 7% of the approved claimed land, leaving out 93% of the CNCIB's traditional land.

The indigenous and Afro-descendant authorities of the GTR-K and the CNCIB consider it essential to submit the case to the Inter-American Court, due to the lack of effective internal remedies in the Nicaraguan judicial system; since between 2013 and 2020 they filed almost 20 legal writs due to unconstitutional actions against them, without having been protected in any of these cases by the Supreme Court of Justice of Nicaragua.

Therefore, the controversy in the case deals with the breach of the international obligations of the State of Nicaragua, the self-determination of these peoples, by imposing governments or authorities parallel to those legitimately elected by these communities; as well as for, not acting in good faith with respect to the consultation and to the preparation of the Covenant; and for the omission to clean up the Rama and Kriol Territory, titled since 2009, thus also compromising the protection and conservation of the Indio-Maíz Biological Reserve, part of the Biosphere Southeast Nicaragua Reserve.

The State of Nicaragua is also internationally committed to protecting and guaranteeing the physical, mental and moral integrity of the members and authorities -human rights defenders- of these peoples in the protection of their territories and environment, without any discrimination; as well as to repair the damages that have been caused to them and to guarantee the non-repetition of the acts that violate their human rights.

The Center for Legal Assistance to Indigenous Peoples (CALPI) and the Human Rights Clinic of the University of Seattle, Washington, USA, have accompanied indigenous and Afro-descendant authorities in their claims since 2013, and currently represent them before the Inter-American Court. For more information (505) 8853-3285 See attached video: <https://www.youtube.com/watch?v=VV48gB1K8Y0&feature=share>