

## **Bogota Accord**

Cease fire agreement during three (3) consecutive months in the Atlantic region, between the armed forces of the Government of Nicaragua and the Miskitu, Sumu, Rama Sandinista Aslatakanka Organization MISURASATA starting from the 15 of January, 1985 with a disposition of extensions according to the achievements of the negotiation, dialogue of a peaceful solution to the present conflict; under the pursuance of the following conditions.

### **I. Official Recognition of the Ethnic Identity and the Aboriginal Rights of the Indigenous and Creole Peoples of the Region.**

1.1 The Government recognizes the Miskitu, Sumu, Rama populations as sovereign Indigenous Peoples of the Atlantic Region of the county with their own ethnic identity and with the natural right to determine freely their own political, economic, social and cultural development according to their values and traditions.

1.2 The Government recognizes inalienable right to the indigenous territory (land, river, lake, sea), with their natural resources to the Miskitu, Sumu Rama and Creole Peoples to define the area to set limits in the region during the continuation of the negotiation process between the two parties within the sovereignty of the Nicaraguan State and the territorial integrity of the country.

1.3 The Government guarantee the right to the Indigenous Autonomy for the Indigenous Nations of the Atlantic Coast within the frame of reference of the Government of the Republic of Nicaragua. Autonomy to be defined specifically during the negotiations between the two parties and that will comprise in general:

- (a) Regional Government and Self-Determination
- (b) Territory and Land Ownership
- (c) Defense
- (d) Laws
- (e) Organization
- (f) Representation in the Nicaraguan Parliament
- (g) Relations between the Government of Nicaragua and the Regional Indigenous Government
- (h) Mutual Cooperation
- (i) Regional Heritage
- (j) Education
- (k) Culture
- (l) Religion
- (m) Economy
- (n) Languages
- (o) Health
- (p) Shelter (Housing)
- (q) Transport

- (r) Communications
- (s) Agriculture
- (t) Fisheries
- (u) Mining
- (v) Reforestation, etc.

1.4 Commitment to include the final Peace Treaty and the Recognition of Territorial and Indigenous Autonomy - to be defined in the new Constitution of the Republic of Nicaragua.

II. Total Cease of all Institutionalized Repression Presently in Existence against the Indigenous Peoples of the Region.

2.1 End of Miskitu, Sumu, Rama and Creole arrests in the region, supposedly considered counter-revolutionary and separatists.

2.2 Demilitarization of the government forces from the so-called settlements of the Indigenous traditional communities.

2.3 Immediate freedom of all political prisoners of the region that are still kept in different jails or work camps of the country.

2.4 Freedom of meetings, mobilization and cult for the Indigenous and Creole peoples of all the country, e.g. freedom of mobilization without an I.D. card.

2.5 Freedom to fish, hunt, to cultivate and commercialization for all indigenous peoples of the region.

2.6 Freedom of expression without restrictions and access to the communications media and international organizations in the region.

2.7 Suspension of the forced recruitment in the SMP of the indigenous youth and Creoles of the region.

2.8 Freedom to return immediately to their original communities the Indigenous peoples displaced in the so called Sangmlaya settlement, with some facilities provided by the Government, regarding mobilization and resettlement.

2.9 Suspension of government military forces to indigenous communities in areas not occupied by the army to avoid unnecessary conflicts.

2.10 Removal of Government institutions from Indigenous communities and the state regulatory agencies in charge of controlling production, work and food distribution (D.D.S., ENABAS, A.T.C., etc.)

2.11 Freedom to carry food, medicines, medical assistance and subsistence implements to the Indigenous communities of the region.

2.12 Freedom to relocate in a safe area within the indigenous territory the Miskitu, Sumu, Rama peoples that work in the coffee plantations in Jinotega and Matagalpa.

### III. Additional Compromises to Achieve Justice to the Indigenous Peoples in the Process of Peace.

3.1 Compensation or devolution of Indigenous property destroyed by the government armed forces during the conflict.

3.2 Reconstruction of the communities that have been destroyed or partially destroyed and traditional indigenous areas with the financial and material assistance of the Government of Nicaragua for the repatriation and resettlements in progress.

3.3 The Government of Nicaragua agrees to issue a complete public report of all its investigations in relation to the indigenous peoples of the region that have been alleged to have disappeared or assassinations by the armed forces during the conflict.

3.4 Formal recognition of MISURASATA by the Government as the legitimate organization of the Indigenous Peoples, to be reestablished fully in the country, with the basic conditions of the autonomy process, with their present leaders and judicial guaranty to exist and function in all Nicaragua.

3.5 All agreements in the course of the negotiation process must be signed by all members of both delegations and countries and organizations present as guarantors. The Final Treaty must be signed by the President of the Republic of Nicaragua and by the Indigenous Chief of MISURASATA, after that must be subjected to the processes of advice and popular and state ratification.

3.6 Both parties are committed to work creating conditions and favourable climates within the country to the repatriation of the displaced and refugees towards the reunification of the Indigenous families.

### IV. Procedure of the Implementation of the Cease Fire Accord

4.1 Removal of soldiers from EPS and disarmament of the popular militia from the following communities:

- (a) From cane Lagarto, to Tursuani south of Bluefields, including Punta Gordo, Wiring Kay, Monkey Point, Kudra Rivery and Rama Ray.
- (b) All communities from Laguna de Perlas area, from Kukra Hill, to Tasbapauni community.
- (c) All areas around Rio Grande from Tumarin community to the mouth of the river.

- (d) The communities around Prinzapolka River, Bambana River and the communities adjacent to the mining centres.
- (e) The area between Wawa River and Kukalaya River, the so-called settlements Tasba Pri and the communities of the Yulu prairie.
- (f) All communities in the areas located in Puerto Cabezas prairie.
- (g) The area between Sandy Bay Tara community and Awastara and Bihmuna prairie.

4.2 Concentration of the Government troops in the following centres. Puerto Cabezas, Bluefields, Rosita, Siuna y Bonanza, as well in the border zones (Laimus, Waspan, Tronquera, etc.).

4.3 The complete integration of the MISURASATA troops to the communities of the demilitarized zones and the commitment of the MISURASATA forces to defend such communities and areas the Indigenous and national sovereignty from all aggression in the region.

4.4 Both parties agreed to respect the integrity of their positions and to eliminate and avoid armed conflicts and all types of provocations, at the same time to cultivate the companerismo (brotherhood) ethnic and national identity and unity through a gradual process of relations and mutual understanding during the agreed period of the cease fire.

#### V. Tripartite Commission

Creation of a tripartite Commission formed by seven (7) members: two (2) delegates from the Government of the Republic of Nicaragua, two (2) delegates from MISURASATA and three (3) delegates from the guarantors. This commission will oversee the fulfillment of the accords and will serve as an arbitrator in any incident or anomalies, in the process of the implementation of this "Bogota Accord". The Powers, the duties and the organization of the commission itself will be agreed by both delegations and will be part of this Accord.

#### Government of Nicaragua Response

The Government of the National Reconstruction of the Republic of Nicaragua and the MISURASATA Organization with the purpose of continuing the negotiation process that is being developed, seeking peace and definite solutions to the problems of the ethnic group of the Atlantic Coast of Nicaragua, before the representatives of the Government of Canada, Holland, France, Mexico, Sweden and Colombia and the World Council of Indigenous Peoples agree in the city of Bogota.

1. The Government of National Reconstruction recognizes that the ethnic group of the Atlantic Coast must enjoy special rights of autonomy that guaranty their own ethnic identity and must be entrenched in the laws of the Republic at the Constitutional level.

2. The Government of the National Reconstruction and MISURASATA agree to accelerate immediately the mechanisms that permit to elaborate a special statutory project of Autonomy to the ethnic groups of the Atlantic Coast and we must pay attention to the following points:

- a) Nature of the Government in the Atlantic Coast and the participation of the ethnic groups
- b) Land tenure by the ethnic groups in the Atlantic Coast.
- c) Organization of the ethnic groups in the Atlantic Coast
- d) Heritage of the ethnic groups in the Atlantic Coast.
- e) Education of the ethnic groups in the Atlantic Coast
- f) Development and Respect of the culture of the ethnic groups in the Atlantic Coast.
- g) Other aspects such as: Health, shelter, transportation, communications.

3. To arrange a cease fire between the Armed Forces of the Government of Nicaragua and the armed groups of MISURASATA starting the 15th of January of 1985, for a period of three months with possible extensions until such time of total incorporation to the civilian life of the groups of MISURASATA presently armed, enjoying of all rights guaranteed by the Charter of the Republic of Nicaragua.

4. The Government of the Republic of Nicaragua recognizes the rights and must protect the ethnic groups of the Atlantic Coast, as an integral part as they are of the Nicaraguan Nation, from all internal and external forces that attempt against their rights.

5. MISURASATA expresses full and total disposition to participate actively and decisively to avoid that external forces to the Nicaraguans have influence of any nature in the solution of the internal problems affecting the ethnic groups of the Atlantic Coast and of all Nicaragua.

6. The Government of the National Reconstruction and MISURASATA agree to strengthen the tasks that will permit to create a favourable climate and conditions to the repatriation of the refugees and the reunification of the Nicaraguan Indigenous families.

7. Both parties agree to respect the accords taken and to avoid all types of conflicts and provocations that may affect the agreement, as well agree to promote companerismo (Brotherhood) the ethnic and national identity and unity of all the Nicaraguan people.

## Communiqué

The Commissions of the Government of National Reconstruction of Nicaragua and of MISURASATA Indigenous Organization have held discussions at the Presidential Palace, CASA de NARINO, during December 8 and 9, 1984 in seeking formulas that will contribute to a just and dignified solution to the Indigenous Problems in Nicaragua, announce to the Nicaraguan People and to the international community.

1. That in the course of the deliberations, both parties in an atmosphere of mutual frank respect, explored with maturity and serenity elements that could serve as the ground work for the establishment of accords that help to propel peace in Nicaragua and in particular in the Atlantic Coast.
2. Both parties state that during the course of the conversations there were found coincidental points that represent the first steps to future discussions to be developed in January 19 and 20, 1985.
3. The parties thank the representatives of Canada, Colombia, France, Holland, Mexico, Sweden and the World Council of Indigenous Peoples for their support in these discussions.
4. As well, express their appreciation particularly to the President of the Republic of Colombia Mr. Belisario Betancur, for the warm hospitality that the parties have been subject to during the course of the discussions.

City of Bogota on the 9th day of December of 1984.

For the Government of the Republic of Nicaragua,

Comandante Luis Carrion

For MISURASATA,

Brooklyn Rivera