



**RED DEMOCRACIA JOVEN DE LAS AMERICAS AND REDLAD
ALERT ABOUT THE ATTACK TO THE SOVEREIGNTY OF THE PEOPLE
OF NICARAGUA AND VIOLATION OF RIGHTS OF CITIZENS AND
INDIGENOUS PEOPLES.**

June 13, 2013

Red Democracia Joven de las Americas and Latin American and Caribbean Network for Democracy (Redlad) warn of the dangers facing the sovereignty of the people of Nicaragua because of the possible construction of a interoceanic canal from the government of Daniel Ortega Saavedra. President Ortega, with the support of the caucus of the ruling Frente Sandinista de Liberacion Nacional (FSLN), plan the creation of a Panama Canal in Nicaragua is ceding territory of the country to a Chinese company without consulting the population living in the area and worse, ignoring the right to prior consultation of indigenous communities Rama and Kriol who would be directly affected by the project.

On June 11, 2013, Civil society organizations of Nicaragua issued a public statement expressing their dissatisfaction with the construction of this project that will allow concessions, privileges, exemptions and waivers, seen as an attack against national sovereignty. It should be noted further that the proposed award of the Nicaraguan Government, includes the obligation of the Central Bank of Nicaragua (BCN) to respond with their goods and international reserves in case a dispute arises with the Chinese company.

We are concerned about the hasty approval of an inter-oceanic Canal Act (Act 800, creating the channel authorities), which will serve as a framework for the concession and endanger, among other things, the



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immunity of the Central Bank of Nicaragua, leaving no protection to the Nicaraguan financial system. That law does not indicate what the canal path or a technical reference. But it does establish an unlimited grant of national resources for the benefit of the investor and its dealers for a term of 50 years.

It is worth mentioning that the President Ortega granted in 2009 (Title Communal No. 010-18-12-2009) an area of 4068.493 km² of land area and 441.308 maritime area to Rama and Kriol Indigenous under the slogan: "Peoples and Nations Originating Owner of their lands". However, the lands granted are now in danger in order to create the Interoceanic Canal. This clearly violates agreed in the ILO Convention 169, the UN Declaration on the Rights of Indigenous People and the American Convention on Human Rights of the OAS that requires the consultation of indigenous and native peoples on issues affecting their lifestyle. Importantly, the Supreme Court of Justice of Nicaragua has not resolved yet on the constitutional motion filed by the Territorial Government of Rama and Kriol on August 29, 2012, against the law of the Grand Canal.

Given these facts, the Young Democracy Network of the Americas consisting of more than 80 young people from over 12 countries of the Region and the Redlad, platform of more than 520 organizations, Official Member of the Civil Society Forum of the OAS and Regional Chapter of World Movement for Democracy (WMD):

- 1) Reject the actions of the Government of Nicaragua and the ruling bloc in the National Assembly with respect to the Interoceanic Canal and requests application of ILO Convention 169 concerning the right to consultation of indigenous and native peoples.
- 2) Urge to civil society organizations of Nicaragua to speak out against the facts and demand respect for the autonomy of the Central Bank of Nicaragua, and the performance of the respective consultation.
- 3) Do not recognize the legitimacy of a law that aims to counteract and amend the Constitution of Nicaragua with the firm intention of giving appearance of legality to a series of events that threaten citizen representation in the country, besides being a law that has not been consulted indigenous peoples and communities



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affected directly and indirectly by the project and subject to the due process.

- 4) They call upon the democratic governments of Latin America and the civil society organizations of the continent to demand the government of Nicaragua respecting the sovereignty of the Nicaraguan people and their Constitution, domestic legislation and international instruments human rights that are part of the legal system of the country.

**Red Latinoamericana y del Caribe para la Democracia (RedLad).
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