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Who Protects the Land?

Environmental Politics in Costa Rica's Indigenous Reserves

“There is a big difference between white people and indigenous people. The origin of white people is the King of Leaf-cutter Ants. Just look at leaf-cutter ants, how they all work together cleaning and clearing all the land around their nests. Where the leaf cutter ants live, all the vegetation is gone because they cut every last leaf and take them back to their big nests. That’s how the white man is.”

*Gloria Mayorga
Indigenous Bribri*

As evidence of global climate change mounts, environmentally friendly concepts such as “sustainable development” have gained significance in the international community. Though environmental issues have become a common concern of the World Bank, the United Nations, the IMF, as well as scores of other institutions and NGOs, these bodies do not share a common vision. However, the most prevalent “sustainable development” schemes being applied are consistent with the neoliberal vision, stressing corporate responsibility and economic incentives, as set out during the landmark 1992 Earth Summit in Rio de Janeiro, Brazil.

Although Costa Rica is recognized internationally as being a friend to the environment, its government has, on numerous occasions, relinquished its embrace of the tree to pursue more lucrative ventures. Many tourism enterprises that have benefited from Costa Rica’s green reputation have also been less than faithful to their mandates. However, the environmental banner has also been used against these opportunists.

Indigenous peoples worldwide tend to disagree with environmental policies that reduce the environment to an economic asset. Costa Rica’s indigenous peoples recognize that their fates are tied to the land that they inhabit. Despite their relatively small numbers and a history of neglect by the government, the country’s indigenous peoples have begun to defend their rights by raising awareness, by linking their cause with nature conservation and by using politically-popular ecological concepts to their own advantage.

Costa Rica’s Indigenous Peoples

Costa Rica is home to approximately 64,000 indigenous people. About half of them live on reserves where access to health and education is very poor. Despite the fact that they make up only 1.7% of the population (2000 census), Costa Rican legislators have passed legislation protecting indigenous rights to a degree unparalleled elsewhere in Central America. Costa Rica has been hailed by the international

community for its progressive policies regarding its native peoples. However, as impressive as its policies may be, the Costa Rican government has done little to enforce and implement them. Recently, protected indigenous reserves have been repeatedly diminished in size by governmental decree¹ and land has been illegally occupied by non-indigenous people. Indigenous peoples see protecting their land from foreign encroachment and environmental degradation as essential to their cultural survival.

Two Case Studies

Villas Del Caribe: The Green Disguise. Costa Rica's southeastern Caribbean zone has become a much frequented tourist stop. The region is known for its beautiful beaches, unspoiled nature reserves and Caribbean influenced culture. It is also home to two Native American groups, the Bribri and Cabecares. The region was once dependant on resource extraction industries and was one of the nation's least developed areas. However, during the last couple of decades, the region has developed a respectable tourist economy. This economic growth, unfortunately, has brought with it conflicts between locals and foreign investors over control of land and resources.

In the early '90s, a Canadian corporation named Desarrollos Ecológicos (Ecological Developments) constructed *Villas Del Caribe*, a \$35 million luxury resort in the southern Caribbean town of Puerto Viejo. *Villas Del Caribe* advertises deluxe suites, a long list of activities from horseback riding to snorkeling, and a 250-acre private reserve in which tourists may "calmly admire the surroundings and enjoy the easy-going life style of the Caribbean 'Rasta'." What *Villas Del Caribe* does not mention in their publicity is that the resort illegally occupies parts of both the Gandoca-Manzanillo Wildlife Refuge and the Kéköldi Indian Reserve. Desarrollos Ecológicos unsuccessfully attempted to influence the government to reduce the size of the reserves.

Maurice Strong, owner of Desarrollos Ecológicos, is a multi-millionaire entrepreneur and eminent spokesperson for sustainable development. Strong organized the '92 Earth Summit in Brazil, a UN conference on environmental development. This conference produced Agenda 21, a set of guidelines for corporate responsibility and "sustainable development." The document embodies neoliberal principles and recommends lifting trade restrictions, deregulating the tourism industry (among others) while stressing stronger self-regulation. Essentially, Agenda 21 argues that the best way to protect the environment is to make it the vested interest of private sector enterprises. It further claims that capital generated by private enterprises will trickle down to benefit the local economy and be invested in nature conservation.

If Strong's *Villas Del Caribe* is the model for corporate responsibility as set out in Agenda 21, then it appears doubtful that the private sector will adequately police itself. *Villas del Caribe* practices recycling and composting, but it has been pointed out that these efforts are "very modest offerings of ecotourism." In fact, the resort never even made it into *The New Key to Costa Rica*'s list of ecotourism hotels. What is particularly alarming about the case is that Strong used his reputation as an environmentalist to occupy land that was previously protected and managed by the state and Bribri. Though the government never granted Desarrollos Ecológicas ownership of the protected lands, it did not step in to defend the rights of indigenous people. Strong offered \$5,000 to a local native organization and \$60,000 to The Nature Conservancy. He did not, however, consult the indigenous leaders, or offer to pay them some form of rent or a share of the hotel's profits.

According to Cabecar-Bribri beliefs, human beings cannot own the plants and animals; they are the property of powerful supernatural beings. These beings become angry when they see their possessions mistreated and punish the offenders. The Cabecar-Bribri believe “Sibö,” or God, taught them how to live with nature and protect the forests upon which their lives and culture depend. It is hard to imagine that *Villas del Caribe* can offer better protection of the environment than the indigenous people, who have been practicing sustainable development since time immemorial.

The Boruca Hydroelectric Project: The end of History? Since the '70s, the Costa Rican government has been researching and planning the construction of a massive hydroelectric project in the southern Pacific region of Boruca. In its original form, the project would generate 15,000 megawatts of electricity, and would be the largest hydroelectric project in Central America. For the government, this would mean major revenues from energy sales to other countries; however, the impacts on local ecosystems and indigenous populations would be dramatic. The project would involve the flooding of 25,000 hectares of land touching the indigenous territories of Boruca, Cabagra, Salitre, Terraba, Ujarrás and the complete submersion of the Rey Curré territory. As a result, indigenous people in the area would have to be relocated.

This would violate Article 3 of the Indigenous Act of 1977, which states that: “The indigenous reserves are unalienable and unprescriptable, non-transferable and exclusively for the indigenous communities that inhabit them.” Furthermore, in '92 Costa Rica signed Convention 169 of the International Labor Organization, which states that the government must “consult with the interested people, through appropriate procedures and in particular through their representative institutions, every time they anticipate legislative or administrative measures capable of directly affecting them.” The Costa Rican Electricity Institute (ICE) has not approached the native governments for consultation. In fact, most of its planning is kept secret.

Though these laws clearly state the rights of Costa Rica's indigenous peoples, the government has done very little to uphold them. As illustrated by the *Villas del Caribe* case, the government readily turns a blind eye to the violation of indigenous territorial rights. In other cases, the government has not only turned a blind eye, but has acted directly against the laws by expropriating reserve lands by decree. The native peoples of Costa Rica are aware of this, but, unfortunately, they lack the resources required to wage an extended legal battle. However, they have had some success in raising public awareness of the issue and won the solidarity of environmental NGOs through public protests. The indigenous peoples have also succeeded in getting the attention of the government by blocking the Inter-American Highway on several occasions. For the time being, the project has been suspended.

In an interview with *Mesoamerica*, Donald Rojas, Director of the *Mesa Nacional Indígena* (MNI), said that ICE is currently studying alternative plans to build the hydroelectric dam further up stream, where it would not flood indigenous lands. The new plans, which have been kept quiet for the time being, will not force indigenous people off of their ancestral land as previous proposals would have done. Nevertheless, it is certain that, if built, the project will have major ecological impacts that will affect the ecosystem and, therefore, the livelihood of the area's indigenous people. Rojas maintains that even though the new proposal respects their land titles, indigenous groups, along with environmental groups, will continue to publicly oppose ICE's plans on environmental grounds.

Much like the Bribri and Cabecar, the indigenous peoples of the Boruca region depend on the proper management of the ecosystem for their cultural and physical survival. The *Manifesto of the Indigenous Communities Affected by the Proposed Boruca Hydroelectric Project, Costa Rica* states: “Our history, our identity and our cosmology are, since forgotten times, intrinsically linked to the land, the rivers and all of nature in our territories. To abandon our territories, for us, implies death. The end of our history.”

For decades, large-scale hydroelectric projects like the proposed Boruca project have devastated indigenous groups across the globe. Nevertheless, the World Bank continues to see large-scale dams like the aforementioned, as well as environmentally-destructive strip-mining projects, as the solution to bringing “underdeveloped” economies up to speed.

New Developments

The indigenous people of Costa Rica are tired of seeing their rights ignored and directly violated. They know that it is only a matter of time before the Boruca project resurfaces or construction of another “ecotourism” resort on their land begins without their consent, and they realize that they cannot afford to wait for a crisis to happen again. In early Mar, MNI compiled a document that discusses the range of issues that confront indigenous people in Costa Rica today, and submitted it to the Organization of American States. The document discusses the violation of indigenous land rights and the exploitation of natural resources, making explicit reference to the Boruca hydroelectric project among other similar cases.

On the subject of protecting land rights, the document argues that Native American organizations need to have the resources required to defend their land titles themselves. Previously, this should have been done by the National Commission of Indigenous Affairs, but this governmental appendage is underfunded and has in the past ignored the views of indigenous people. In the document, MNI also argues that indigenous people need to be formally included in the Ministry of Environment and Energy in order to guarantee that they be consulted about environmental matters. Currently, the government has shown no interest in putting into practice such an initiative.

The Inter-American Development Bank (IDB) has recently stated its support for the indigenous people of Central America and further backed the claim with various grants and loans aimed at supporting ecosystem management and sustainable development initiatives. According to Rojas, the IDB has created a fund aimed at helping Native Americans legally protect their land rights. However, he remains skeptical that the IDB plans will be carried through successfully.

As the above case studies illustrate, environmentalism can be used by indigenous people, entrepreneurs and policy-makers alike. However, there is little agreement between these actors about how best to protect the environment. While government and business tend to view the landscape through the lens of economic theory, Native Americans see it as beyond valuation. Though indigenous people do not share a common vision with most environmental policy-makers, they have managed to gain some support and attention using environmental discourse.

—Adam Kardos
