

## PANAMA

### Embera-Wounaan

Activity: 1968-2020

#### General notes

- The Embera-Wounaan, also collectively known as the Chocó, live in the Pacific jungle lowlands in the Darién province, close to the border with Colombia (MRGI).

#### Movement start and end dates

- The Embera-Wounaan Congress was established in 1968 to secure legal recognition of land claims. The start date is pegged at 1968. To date, the Congress has achieved two major goals: legal recognition of the *comarca* (reserve) system in 1983 and physical demarcation in 1993, and development of the *carta orgánica*, the legal document guiding the functioning of the comarca. There is evidence of continued activity up until 2020, and thus the movement is coded as ongoing (MAR; Thorne, 2004; Arcia, 2018; TVN, 2020). [start date: 1968; end date: ongoing]

#### Dominant claim

- According to Minorities at Risk, the Chocó are mostly interested in the protection of their ancestral lands and since 1983 have demanded more reserves to protect their traditional land from settlers. This demand has continued, as “Wounaan and Emberá communities [...] still seek official recognition of their collective lands” (Pittman, 2012). [1968-2020: autonomy claim]

#### Independence claims

NA

#### Irredentist claims

NA

#### Claimed territory

- The exact contours of the territory claimed by the Embera-Wounaan is unclear. The evidence we could find suggests that claims extend beyond the comarca that was established in 1983 (MAR; MRGI); however, we could not find any specific information on the groups' claims beyond the comarca. We therefore flag this claim as ambiguous and use the current Embera-Wounaan comarca as coded in the Global Administrative Areas database as an approximation. We found no evidence of changes to the territorial claims in the period 2013-2020, only a confirmation that the claims extend beyond the comarca (see Halvorson 2018; Día a Día 2019).

#### Sovereignty declarations

NA

## **Separatist armed conflict**

- No violent activity was found, and thus the movement is coded NVIOLSD. [NVIOLSD]

## **Historical context**

- The Spanish first arrived in Panama in 1501 and shortly thereafter became a Spanish colony. In 1903, Panama seceded from Colombia, with the support of the U.S. (MAR; Meditz & Hanratty, 1987; MRGI). Contrary to some other states in the region, Panama's historic strategy towards indigenous people was one of assimilation and less of extermination. The Embera-Wounaan continued to live in relative isolation well into the 20<sup>th</sup> century, but contact increased after 1960 (Herlihy, 1986: xviii).

## **Concessions and restrictions**

- Wickstrom (2003: 48) reports that the Madungandi Kunas, who live in eastern Panama, suffered from large-scale land expropriation in the mid-1970s when they lost c. 80% of their land as a result of an "aggressive national plan to provide power to Panama City" through a hydroelectric dam. Additional sources suggest that also Embera-Wounaan were affected: Finley-Brook and Thomas (2010) report that ca. 1,500 Kuna were relocated as well as 500 Embera and 2,500 "colonists" and that the project proceeded with little public consultation. We code a restriction in 1972, when the Ascanio Villalaz hydroelectric dam project had begun. [1972: autonomy restriction]
- The 1972 constitution guarantees the right to bilingual education to indigenous peoples. We could not find very good evidence on the extent of implementation, but a 2021 report by UNICEF suggests that implementation was patchy at best. We do not code a concession.
- The 1972 constitution also required the government to establish 'comarcas' or reserves for indigenous peoples. However, this policy was not immediately or universally implemented and the Embera-Wounaan only received their own comarca in 1983 (MRGI; EPR; Cansari & Gausset, 2013; IWGIA, n.d.). [1983: autonomy concession]
- A 1998 law increased indigenous control over natural resources, guaranteeing their rights to control and develop lands and resources, engage in autonomous development, and to retain profits from development carried by others within comarcas. However, the extent of implementation is questionable as the Panamanian government continued to approve several controversial projects that severely impacted on indigenous communities in the country (Wickstrom, 2003: 46, 59; MRGI; also see below). We do not code a concession.
- In 2003, the Panamanian government repealed environmental laws that had "recognized Indigenous people's right to use and manage natural resources in their lands and comarcas, that [had] required authorization for the industrial and commercial use of Indigenous resources and agreement with Indigenous representatives for any project on Indigenous land, and that [had] necessitated obtaining prior consent before Indigenous people could be relocated. There was no process of consultation with interest groups such as Indigenous people" (Cansari & Gausset, 2013: 3). This change appears to have further eroded indigenous control over natural resource projects in their areas, so we code a restriction. [2003: autonomy restriction]
- In 2008, Panama adopted Law 72, which set out a special procedure for awarding collective titles to lands of indigenous peoples outside of the comarcas. Implementation has been patchy at best, but there have been some steps. In 2012, a Wounaan community in the Darién province became the first to be awarded collective land titles under Law 72 (Pittman, 2012). By ca. 2020-2022, a total of five indigenous territories had been titled under the law; 25 more claims are outstanding (IWGIA, n.d.). We code a land rights concession but note that this is an ambiguous case. [2008: autonomy concession]
- In 2011, the Panamanian government reformed the 1963 mining code. The changes further eroded indigenous control over natural resources in their comarcas, potentially paving the road for mining projects in comarcas without prior consent by indigenous peoples. The change led to

large-scale protests among indigenous peoples (Cansari & Gausset, 2013). [2011: autonomy restriction]

- MAR and MRGI report that large numbers of squatters have invaded Embera-Wounaan territories. We do not code a restriction because this is not clear government policy, in line with the codebook.
- In 2016, the government passed Law 37, which established mechanisms for prior, free and informed consent of indigenous peoples. According to Cultural Survival (2019), “This is a nominally positive step, however, Indigenous communities were not consulted in the process of developing the law itself, and better efforts need to be made to include Indigenous communities in the regulation of this law and its implementation.” Overall, implementation of Law 37 seems to have been patchy at best, and we could not find evidence to suggest that Law 37 led to a material change in the protection of indigenous groups’ land rights. We do not code a concession.
- Ever since Law 72 of 2008 was passed (see above), the Emberá-Wounaan have mobilized against the decades-long delays in the procedure of collective land titling. There is evidence that the government has intentionally stalled the process, arguing that some customary lands are in, or in close proximity to, protected areas (Halvorson, 2018). In the case of the Emberá-Wounaan, their comarca has a significant overlap with the Darién National Park. In 2019, the Panamanian government issued a resolution authorising the collective titling of these territories, setting an important legal precedent (Día a Día, 2019). By the end of 2020, only provisional land titles had been issued, which we deem insufficient to code a concession. This should be revisited in a potential future update.

### Regional autonomy

- The Embera-Wounaan have had their own comarca since 1983. Several sources suggest that comarcas provide meaningful autonomy. According to MRGI, the comarcas “have a significant degree of autonomy and are free from taxation.” According to van Cott (2001: 33), the extent of regional autonomy enjoyed by indigenous groups in Latin America is greatest in Colombia and Panama, “where indigenous authority structures are well-institutionalized and widely supported among the indigenous population.” EPR codes the Embera-Wounaan with autonomy from 1984 onwards. It should be noted though that Cansari & Gausset (2013) clarify that autonomy is not “full” because indigenous comarcas have control over surface resource but not underground resources. [1984-2020: regional autonomy]

### De facto independence

NA

### Major territorial changes

- [1983: establishment of regional autonomy]

### EPR2SDM

<i>Movement</i>	Embera-Wounaan
<i>Scenario</i>	1:1
<i>EPR group(s)</i>	Choco (Embera-Wounan)
<i>Gwgroupid(s)</i>	9505000

## Power access

- We draw data from EPR, which suggests a powerless code throughout. [1968-2020: powerless]

## Group size

- EPR suggests a group size of 0.3% until 1997 and 1% thereafter. This broadly matches with MAR, which suggests that the Embera-Wounaan/Choco number “several thousand”. The 2010 census counted ca. 39,000 Embera and Wounaan, which suggests a relative group size of ca. 1.1% for recent years of Panama’s population in 2010 (3.4 mio). Furthermore, Cansari & Gausset (2013: 7f) and Wickstrom (2003) report that indigenous groups in Panama have been growing demographically in recent years, consistent with EPR. We follow EPR. [1968-1997: 0.003; 1998-2020: 0.01]

## Regional concentration

- EPR codes regional concentration, but EPR applies a lower bar that only requires that at least 25% of group members live in their regional base. Data from Panama’s National Statistical Institute suggests that ca 95% of the Embera-Wounaan comarca were indigenous (presumably predominantly Embera-Wounaan) in 2010; however, the total population of the Embera-Wounaan was approx 40,000 in the 2010 census, suggesting that less than a quarter of all Embera-Wounaan live in their reserve. We could not find precise information on the settlement patterns of Embera-Wounaan outside of their comarca. While MRGI suggests that the Embera-Wounaan predominantly live in the Pacific jungle lowlands in the Darien province on the border with Colombia, and the Darien province had a population of 48,000 in the 2010 census. According to Chapin et al. (1994), the Darien province was inhabited predominantly by Embera and Wounaan and smaller numbers of Kunas and other indigenous groups in the 1960s while more non-indigenous settlers started to arrive since. Herlihy (1986: 13) suggests that >80% of all Choco lived in Darien province in the 1980s. Overall, the evidence we were able to collect suggests that the criteria for regional concentration are likely to be met. [regionally concentrated]

## Kin

- There are Chocos/Embera-Wounaan in Colombia, but they numbered only ca 30,000 in the 1980s (Herlihy, 1986: 14). We found no other evidence for transborder ethnic kin. [no kin]

## Sources

- Arcia, José (2018). Emberás wounaan acusan a MiAmbiente de dilatar titulación.  
<https://www.laestrella.com.pa/nacional/180129/acusan-emberas-wounaan-dilatar-miambiente>  
[October 3, 2022]
- Cansari, Rogelio and Quentin Gausset (2013). “Along the Road: The Ngäbe-Buglé Struggle to Protect Environmental Resources in Panama.” *The International Indigenous Policy Journal* 4(3): 1-15.
- Cederman, Lars-Erik, Andreas Wimmer, and Brian Min (2010). “Why Do Ethnic Groups Rebel: New Data and Analysis.” *World Politics* 62(1): 87-119.
- Chapin, Mac, Francisco Herrera, and Niconar Gonzalez (1994). “Ethnocartography in the Darien.” *Cultural Survival Quarterly Magazine*. <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/ethnocartography-darien> [March 30, 2022].
- Cultural Survival (2019). Observations on the State of Indigenous Human Rights in Panama.  
<https://www.google.com/url?>

- sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj27aLqsb6AhUJSkEAHSxAD8AQFnoECA0QAQ&url=https%3A%2F%2Fwww.culturalsurvival.org%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpanamaupr\_2014.pdf&usg=AOvVaw0VbowskiEFZIPntCiI\_Nb78 [October 4, 2022]
- Día a Día (2019). Originarios reciben resolución de Mi Ambiente sobre titulación de tierras. <https://www.diaadia.com.pa/el-pais/originarios-reciben-resolucion-de-mi-ambiente-sobre-titulacion-de-tierras-716686> [October 4, 2022]
- Finley-Brook, Mary, and Curtis Thomas (2010). "From Malignant Neglect to Extreme Intervention: Treatment of Displaced Indigenous Populations in Two Large Hydro Projects in Panama." *Water Alternatives* 3(2): 269-290.
- GADM (2019). Database of Global Administrative Boundaries, Version 3.6. <https://gadm.org/> [November 19, 2021].
- Halvorson, Christine (2018). The Problem of Overlap: The Panamanian Government Stalls on Indigenous Land Titling on Protected Areas. <https://indigenouspeoples-sdg.org/index.php/english/ttt/766-the-problem-of-overlap-the-panamanian-government-stalls-on-indigenous-land-titling-on-protected-areas> [October 4, 2022]
- Herlihy, Peter Harry (1986). "A Cultural Geography of the Embera and Wounan (Choco) Indians of Darien, Panama, With Emphasis on Recent Village Formation and Economic Diversification." LSU Historical Dissertations and Theses 4299 [https://digitalcommons.lsu.edu/gradschool\\_disstheses/4299](https://digitalcommons.lsu.edu/gradschool_disstheses/4299) [March 30, 2022].
- Instituto Nacional de Estadística y Censo Panama (n.d.). "Diagnóstico de la Población Indígena de Panamá con base en los Censos de Población y Vivienda de 2010." [https://www.inec.gob.pa/archivos/P6571INDIGENA\\_FINAL\\_FINAL.pdf](https://www.inec.gob.pa/archivos/P6571INDIGENA_FINAL_FINAL.pdf) [25 March 2022].
- IWGIA (n.d.). "Indigenous Peoples in Panama." <https://www.iwgia.org/en/panama.html> [March 25, 2022].
- Meditz, Sandra W., and Dennis M. Hanratty (eds.) (1987). *Panama: A Country Study*. Washington, DC: GPO for the Library of Congress.
- Minorities at Risk Project (2009). College Park, MD: University of Maryland.
- Minority Rights Group International. *World Directory of Minorities and Indigenous Groups*. <http://minorityrights.org/directory/> [November 9, 2021].
- Pittman, Veronique (2012). "Indigenous Lands to Finally Receive Titles in Panama." [http://www.huffingtonpost.com/veronique-pittman/indigenous-lands-to-final\\_b\\_1595516.html](http://www.huffingtonpost.com/veronique-pittman/indigenous-lands-to-final_b_1595516.html) [August 5, 2017].
- Roth, Christopher F. (2015). *Let's Split! A Complete Guide to Separatist Movements and Aspirant Nations, from Abkhazia to Zanzibar*. Sacramento, CA: Litwin Books.
- Thorne, Eva T. (2004). Ethnic and Racial Political Organization in Latin America. In Maria Buvinic, Jacqueline Mazza, Ruthanne Deutsch (eds.), *Social Inclusion and Economic Development in Latin America*, 307-334. Baltimore, MD: John Hopkins University Press.
- TVN (2020). Promueven proyecto que protege bosques ancestrales de la comarca Emberá-Wounaan. [https://www.tvn-2.com/nacionales/promueven-proteccion-bosques-ancestrales-comarca-embera-wounaan\\_1\\_1133584.html](https://www.tvn-2.com/nacionales/promueven-proteccion-bosques-ancestrales-comarca-embera-wounaan_1_1133584.html) [October 3, 2022]
- UNICEF (2021). "Intercultural Bilingual Education in Latin America." <https://www.unicef.org/lac/media/23246/file/Intercultural-Bilingual-Education.pdf> [March 25, 2022].
- Vakis, Renos, and Kathy Lindert (2000). "Poverty in Indigenous Populations in Panama: A Study Using LSMS Data." *LCSDH Paper Series*. World Bank.
- Van Cott, Donna L. (2001). "Explaining Ethnic Autonomy Regimes in Latin America." *Studies in Comparative International Development* 35(4): 30-58.
- Vogt, Manuel, Nils-Christian Bormann, Seraina Rüegger, Lars-Erik Cederman, Philipp Hunziker, and Luc Girardin (2015). "Integrating Data on Ethnicity, Geography, and Conflict: The Ethnic Power Relations Data Set Family." *Journal of Conflict Resolution* 59(7): 1327-1342.

Wickstrom, Stefanie (2003). "The Politics of Development in Indigenous Panama." *Latin American Perspectives* 30(4): 43-68.

## **Kuna**

Activity: 1945-2020

### **General notes**

- The Kuna, also known as Guna, live primarily in the San Blas Islands, with some settlements on the Colombian border at the edge of the Darién National Park (MRGI).

### **Movement start and end dates**

- When Panama gained independence in 1903, its government sought to assimilate the local indigenous population (Foss, 2012: 3). This prompted a violent reaction: in 1925, the Kuna successfully rebelled against Panama. As a result, in 1930 the Kuna were granted some limited form of autonomy (MAR; Foss, 2012: 4). The Kuna were the first Panamanian indigenous group to press for their own reservation and land rights. Foss (2012: 5) suggests that the Kuna continued to press for more autonomy. Minorities at Risk suggests that the Kuna's main claim has been the creation of additional Kuna reserves. Minahan (2002: 1052f) reports claims for more Kuna reserves as well as additional autonomy for existing ones, especially when it comes to control over natural resources. There is evidence of continued activity up until 2020 (IWGIA, 2020).
- Based on this, we code the start date in 1925 and peg the movement as ongoing. However, since the data set starts in 1945, we code the Kuna only from 1945. We did not come across casualty figures for the 1925 incidence, but the violent uprising is mentioned consistently across sources (Foss, 2012; MAR). We found no other incident of separatist violence before 1945, and thus note that activity immediately before 1945 was non-violent. [start date: 1925; end date: ongoing]

### **Dominant claim**

- According to Foss (2012: 5, 40, 54, 98) the Kuna started demanding territorial autonomy from 1925 onwards and have been doing so since. Minorities at Risk and Minority Rights Group International suggest that the main claim is for more Kuna reserves. Minahan (2002: 1052f) reports claims for more Kuna reserves as well as additional autonomy for existing ones, especially when it comes to control over natural resources. [1945-2020: autonomy claim]

### **Independence claims**

NA

### **Irredentist claims**

NA

### **Claimed territory**

- Kuna claims are tied to the three existing Kuna comarcas (Kuna Yala, Kuna Madungandi, and Kuna Wargandí) as well as additional Kuna lands. We could not find precise information on what land is claimed beyond the three Kuna comarcas and therefore use Kuna Yala, Kuna Madungandi, and Kuna Wargandí as an approximation. Panama is divided into ten provinces and four provincial-level indigenous regions. Therefore, we use a mix of GADM and an Indigenous Territories of Panama dataset (Global Forest Watch 2019) to map this claim.

## **Sovereignty declarations**

NA

## **Separatist armed conflict**

- MAR notes that the Kuna “again took up arms” in 1962. Due to the 1962 incident, the MAR quinquennial rebellion score for Panama’s indigenous peoples is 3 in 1960-1964. However, it is not clear whether this incident was related to self-determination. According to Foss (2012: 12) violence erupted over the Kuna’s contraband trade with Colombians. Moreover, the incident appears rather minimal (we were unable to get by exact casualty estimates, however). Thus we do not code low-level violence in 1962. We found no evidence for separatist violence in other years, either, thus the movement is coded as NVIOLSD. [NVIOLSD]

## **Historical context**

- Prior to colonization the Kuna lived in federated clan villages. In 1510, the first colony was established on Kuna lands. Pressure from the growing Latino population gradually pushed the Kunas toward the coast. In 1903, Panama seceded from Colombia. The new Panamanian government refused Kuna demands and land rights (Minahan 2002: 1051).
- The Kuna were possibly the first modern indigenous movement for self-determination in Latin America. In 1925, the Kuna rebelled and declared themselves independent (Minahan 2002: 1051). After talks, they gained the right to “maintain order among themselves” without interence of the Panamanian police. In 1930, the Kuna achieved partial autonomy on San Blas, including protection of Kuna land rights. In 1938, their territory was given the status of an autonomous comarca (reservation) (Cansari & Gausset 2013; van Cott 2001: 35). However, a key problem is that the central government had historically maintained the right to natural resources in indigenous areas (Wickstrom 2003), a practice that had given rise to repeated land grabs and forced relocations (MRGI). The construction of a dam back in the 1970s, for example, was responsible for uprooting Kuna and Emberá community members from their lands, with the government then failing to provide them with secure land title elsewhere (MRGI). Furthermore, the comarca that was established in 1938 covered only parts of the Kuna homeland. [1938: autonomy concession]

## **Concessions and restrictions**

- In 1953, the Panamanian government passed Ley 16, or the Kuna’s Carta Organica, which institutionalized the Kuna comarca’s boundaries and prohibited foreigners and non-Kuna Panamanians from owning land within the comarca’s boundaries (Foss, 2012: 5). It seems Ley 16 largely codified and further fleshed out the 1938 grant of an autonomous comarca, so we do not code a new concession.
- Wickstrom (2003: 48) reports that the Madungandi Kunas, who live inland in eastern Panama, suffered from large-scale land expropriation in the mid-1970s when they lost c. 80% of their land as a result of an “aggressive national plan to provide power to Panama City” through a hydroelectric dam. Finley-Brook & Thomas (2010) complement that ca. 1,500 Kuna were relocated as well as 500 Embera and 2,500 “colonists” and that the project proceeded with little public consultation. The Ascanio Villalaz hydroelectric dam project began in 1972. [1972: autonomy restriction]
- The 1972 constitution guarantees the right to bilingual education to indigenous peoples. We could not find very good evidence on the extent of implementation, but a 2021 report by UNICEF suggests that implementation was patchy at best. We do not code a concession.



- In 1977, a national park of over 400,000 acres (Alto Bayano) was turned over to Kuna control and became part of the Kuna Yala comarca originally established in 1938 (Minahan 2002: 1052). [1977: autonomy concession]
- In 1996, another Kuna comarca (reservation) was established, Kuna Madungandi (IWGIA, n.d.). Unlike Kuna Yala, Kuna Madungandi does not have provincial status and therefore less autonomy (MRGI). [1996: autonomy concession]
- A 1998 law increased indigenous control over natural resources, guaranteeing their rights to control and develop lands and resources, engage in autonomous development, and to retain profits from development carried by others within comarcas. However, the extent of actual implementation is questionable as the Panamanian government continued to approve several controversial projects that severely impacted on indigenous communities in the country (Wickstrom 2003: 46, 59; MRGI; also see below). We do not code a concession.
- In 2000, another Kuna comarca (reservation) was established, Kuna Wargandi (IWGIA, n.d.). Unlike Kuna Yala, Kuna Wargandi does not have provincial status and therefore less autonomy (MRGI). [2000: autonomy concession]
- In 2003, the Panamanian government repealed environmental laws that had “recognized Indigenous people’s right to use and manage natural resources in their lands and comarcas, that [had] required authorization for the industrial and commercial use of Indigenous resources and agreement with Indigenous representatives for any project on Indigenous land, and that [had] necessitated obtaining prior consent before Indigenous people could be relocated. There was no process of consultation with interest groups such as Indigenous people” (Cansari & Gausset 2013: 3). This change appears to have further eroded indigenous control over natural resource projects in their areas, so we code a restriction. [2003: autonomy restriction]
- In 2008, Panama adopted Law 72, which set out a special procedure for awarding collective titles to lands of indigenous peoples outside of the comarcas (reserves). Implementation has been patchy at best, but there have been some steps. By ca. 2020-2022, a total of five territories had been titled under the law; 25 more claims are outstanding (IWGIA, n.d.). We code a land rights concession but note that this is an ambiguous case. [2008: autonomy concession]
- In 2011, the Panamanian government reformed the 1963 mining code. The changes further eroded indigenous control over natural resources in their comarcas, potentially paving the road for mining projects in comarcas without prior consent by indigenous peoples. The change led to large-scale protests among indigenous peoples (Cansari & Gausset 2013). [2011: autonomy restriction]
- In April 2016, the Kuna congress declared in a letter to the Panamanian President that they were breaking relations with the central government, alluding to a lack of respect for their autonomy (U.S. State Department, 2016). However, we found no clear evidence for an autonomy restriction in 2016.
- In 2016, the government passed Law 37, which established mechanisms for prior, free and informed consent of indigenous peoples. According to Cultural Survival (2019), “This is a nominally positive step, however, Indigenous communities were not consulted in the process of developing the law itself, and better efforts need to be made to include Indigenous communities in the regulation of this law and its implementation.” Overall, implementation of Law 37 seems to have been patchy at best, and we could not find evidence to suggest that Law 37 led to a material change in the protection of indigenous groups’ land rights. We do not code a concession.
- Ever since Law 72 of 2008 was passed (see above), the Kuna have mobilized against the decades-long delays in the procedure of collective land titling. There is evidence that the government has intentionally stalled the process, arguing that some customary lands are in, or in close proximity to, protected areas (Halvorson, 2018). In the case of the Kuna of Tagargunyal, their claimed territory has a significant overlap with the Darién National Park. In March 2018, the Panamanian government issued a resolution authorising the collective titling of Kuna Tagargunyal territories, setting an important legal precedent (Halvorson, 2018). By the end of 2020, only provisional land titles had been issued, which we deem insufficient to code a concession. This should be revisited in a potential future update.

## Regional autonomy

- The Kuna have had their their own comarca (reserve) since 1938; in recent years Kuna autonomy was established over additional territories. Several sources suggest that comarcas provide meaningful autonomy. According to MRGI, the comarcas “have a significant degree of autonomy and are free from taxation.” According to van Cott (2001: 33), the extent of regional autonomy enjoyed by indigenous groups in Latin America is greatest in Colombia and Panama, “where indigenous authority structures are well-institutionalized and widely supported among the indigenous population.” EPR codes the Kuna with autonomy throughout. It should be noted though that Cansari & Gausset (2013) clarify that autonomy is not “full” because indigenous comarcas have control over surface resource but not underground resources. Note that in 2016, the Kuna congress broke relations with the central government because of an alleged violation of their autonomy (see above), but we did not find clear evidence to suggest a change in the autonomy code. [1945-2020: regional autonomy]

## De facto independence

NA

## Major territorial changes

- In 1996, another Kuna comarca (reservation) was established, Kuna Madungandi (IWGIA). Unlike Kuna Yala, Kuna Madungandi does not have provincial status and therefore less autonomy (MRGI). MAR describes the entity as “semi-autonomous”. We code a major change as the concession seems significant, but note that this coding is potentially ambiguous. [1996: establishment of autonomous region]
- In 2000, another Kuna comarca (reservation) was established, Kuna Wargandi (IWGIA). Unlike Kuna Yala, Kuna Wargandi does not have provincial status and therefore less autonomy (MRGI). We code a major change as the concession seems significant, but note that this coding is potentially ambiguous. [2000: establishment of autonomous region]

## EPR2SDM

<i>Movement</i>	Kuna
<i>Scenario</i>	No match/1:1
<i>EPR group(s)</i>	Kuna
<i>Gwgroupid(s)</i>	9504000

## Power access

- We draw data from EPR, which suggests a powerless code throughout. [1945-2020: powerless]

## Group size

- According to EPR, the Kuna’s population was 1.5% of Panama’s until 1997 and 2.5% thereafter. By contrast, Minahan (2002: 1049) suggests there were ca. 64,000 Kuna in Panama in 2002, which suggests a relative group size of ca. 2% when combined with Panama’s population in that year (3.15 mio). The 2010 census also suggests a group size close to 2% (80,000 Kuna out of a population of 4.2 mio). Consistent with EPR, several sources suggest that indigenous groups in Panama have been growing demographically in recent years (Cansari & Gausset 2013: 7f;

Wickstrom 2003), but the 2.5% percent figure appears too high. [1945-1997: 0.015; 1998-2020: 0.02]

### Regional concentration

- Data from Panama's National Statistical Institute suggests that while >95% of the Kuna Yala comarca were indigenous (predominantly Kuna) in 2010, just a good 30,000 of all 80,000 Kuna lived in Kuna Yala, or ca. 40%. However, the two other Kuna comarcas (Madungandi and Wargandi), which border Kuna Yala, are both also predominantly Kuna and have a joint population of ca. 6,500 in 2010. In combination the 50% threshold is almost met, and it seems likely that if additional territories in the area were considered, the threshold were met. Minahan (2002: 1049), who appears to consider a larger territory, suggests that a majority of all Kuna (ca 65%) live in the Kuna homeland, where they make up 92% of the local population. [regional concentration]

### Kin

- We found no evidence for transborder ethnic kin. [no kin]

### Sources

Cansari, Rogelio and Quentin Gausset (2013). "Along the Road: The Ngäbe-Buglé Struggle to Protect Environmental Resources in Panama." *The International Indigenous Policy Journal* 4(3): 1-15.

Cederman, Lars-Erik, Andreas Wimmer, and Brian Min (2010). "Why Do Ethnic Groups Rebel: New Data and Analysis." *World Politics* 62(1): 87-119.

Cultural Survival (2019). Observations on the State of Indigenous Human Rights in Panama.

[https://www.google.com/url?](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj27aLqsb6AhUJSkEAHSxAD8AQFnoECA0QAQ&url=https%3A%2F%2Fwww.culturalsurvival.org%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpanamaupr_2014.pdf&usq=AOvVaw0VbowskiEFZIPntCiI_Nb78)

[sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj27aLqsb6AhUJSkEAHSxAD8AQFnoECA0QAQ&url=https%3A%2F%2Fwww.culturalsurvival.org%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpanamaupr\\_2014.pdf&usq=AOvVaw0VbowskiEFZIPntCiI\\_Nb78](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj27aLqsb6AhUJSkEAHSxAD8AQFnoECA0QAQ&url=https%3A%2F%2Fwww.culturalsurvival.org%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpanamaupr_2014.pdf&usq=AOvVaw0VbowskiEFZIPntCiI_Nb78) [October 4, 2022]

Finley-Brook, Mary, and Curtis Thomas (2010). "From Malignant Neglect to Extreme Intervention: Treatment of Displaced Indigenous Populations in Two Large Hydro Projects in Panama." *Water Alternatives* 3(2): 269-290.

Foss, Sarah (2012). *Ahora todos somos Panameños: Kuna Identity and Panamanian Nationalism under the Torrijos Regime, 1968-1981*. Master thesis, Vanderbilt University, Nashville.

GADM (2019). Database of Global Administrative Boundaries, Version 3.6. <https://gadm.org/> [November 19, 2021].

Global Forest Watch (2019). "Panama Comarcas Lands."

<https://data.globalforestwatch.org/datasets/gfw::panama-comarcas-lands/about>

Halvorson, Christine (2018). The Problem of Overlap: The Panamanian Government Stalls on Indigenous Land Titling on Protected Areas. <https://indigenouspeoples-sdg.org/index.php/english/ttt/766-the-problem-of-overlap-the-panamanian-government-stalls-on-indigenous-land-titling-on-protected-areas> [October 4, 2022]

Instituto Nacional de Estadística y Censo Panama (n.d.). "Diagnóstico de la Población Indígena de Panamá con base en los Censos de Población y Vivienda de 2010."

[https://www.inec.gob.pa/archivos/P6571INDIGENA\\_FINAL\\_FINAL.pdf](https://www.inec.gob.pa/archivos/P6571INDIGENA_FINAL_FINAL.pdf) [25 March 2022].

IWGIA (2020). Indigenous World 2020: Panama. <https://www.iwgia.org/en/panama/3627-iw-2020-panama.html> [October 4, 2022]

- IWGIA (n.d.). "Indigenous Peoples in Panama." <https://www.iwgia.org/en/panama.html> [March 25, 2022].
- Minahan, James (2002). *Encyclopedia of the Stateless Nations*. Westport, CT: Greenwood Press, pp. 1049-1053.
- Minorities at Risk Project (2009). College Park, MD: University of Maryland.
- Minority Rights Group International. *World Directory of Minorities and Indigenous Groups*. <http://minorityrights.org/directory/> [November 9, 2021].
- Thorne, Eva T. (2004). Ethnic and Racial Political Organization in Latin America. In Maria Buvinic, Jacqueline Mazza, Ruthanne Deutsch (eds.), *Social Inclusion and Economic Development in Latin America*, 307-334. Baltimore, MD: John Hopkins University Press.
- U.S. State Department (2016). 2016 Country Reports on Human Rights Practices: Panama. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/panama/> [October 4, 2022]
- UNICEF (2021). "Intercultural Bilingual Education in Latin America." <https://www.unicef.org/lac/media/23246/file/Intercultural-Bilingual-Education.pdf> [March 25, 2022].
- Vakis, Renos, and Kathy Lindert (2000). "Poverty in Indigenous Populations in Panama: A Study Using LSMS Data." *LCSHD Paper Series*. World Bank.
- Van Cott, Donna L. (2001). "Explaining Ethnic Autonomy Regimes in Latin America." *Studies in Comparative International Development* 35(4): 30-58.
- Vogt, Manuel, Nils-Christian Bormann, Seraina Rüegger, Lars-Erik Cederman, Philipp Hunziker, and Luc Girardin (2015). "Integrating Data on Ethnicity, Geography, and Conflict: The Ethnic Power Relations Data Set Family." *Journal of Conflict Resolution* 59(7): 1327-1342.
- Wickstrom, Stefanie (2003). "The Politics of Development in Indigenous Panama." *Latin American Perspectives* 30(4): 43-68.

## **Naso**

Activity: 1973-2020

### **General notes**

- The Naso are also sometimes called Teribe or Tjër Di.

### **Movement start and end dates**

- The Naso are a small indigenous group in northwest Panama. Inspired by the Kunas, who received their own *comarca* (reservation) in the 1930s, the Naso mobilized for an autonomous Naso territory. According to a 2010 World Bank report, the Naso movement for a *comarca* of their own began in 1973 (p. xvi). IWGIA suggests that the Naso struggle for autonomy had been ongoing for more than 40 years in 2021. 1973 is coded as the start date.
- The Naso were finally granted their own *comarca* after a Supreme Court ruling in late 2020. We found evidence that the Naso continue to mobilize against infrastructure projects and in particular a hydroelectric dam project in their territory after 2020 (Gaunt, 2021). Our sources not specify whether these claims involved land rights and/or increased control over natural resources, but this seems likely. The movement is therefore (likely) ongoing by 2020. [start date: 1973; end date: ongoing]

### **Dominant claim**

- Inspired by the Kunas, who received their own *comarca* (reservation) in the 1930s, the Naso mobilized for their own autonomous Naso territory (Inspection Panel, 2010; IWGIA). The Naso were finally granted their own *comarca* after a Supreme Court ruling in late 2020. We found evidence that the Naso continue to mobilize against infrastructure projects and in particular a hydroelectric dam project in their territory after 2020 (Gaunt, 2021). Our sources not specify whether these claims involved land rights and/or increased control over natural resources, but this seems likely. [1973-2020: autonomy claim]

### **Independence claims**

NA

### **Irredentist claims**

NA

### **Claimed territory**

- The exact contours of the territory claimed by the Naso remain unclear; however, the claims broadly overlap with today's Naso *comarca*, the Naso Tjer region. This region is inhabited mainly by the Naso ethnic group. We code this claim based on the Administrative Province Boundaries of Panama 2022 (Solano 2022).

## **Sovereignty declarations**

NA

## **Separatist armed conflict**

- No violent activity was found, so the movement is coded NVIOLSD. [NVIOLSD]

## **Historical context**

- The Spanish first arrived in Panama in 1501 and shortly thereafter Panama became a Spanish colony. In 1903, Panama seceded from Colombia, with the support of the U.S. (MAR; Meditz & Hanratty, 1987; MRGI). Contrary to some other states in the region, Panama's historic strategy towards indigenous people was one of assimilation and less of extermination. The Naso continued to live in relative isolation well into the 20<sup>th</sup> century (Paient, 2007).

## **Concessions and restrictions**

- The 1972 constitution guarantees the right to bilingual education to indigenous peoples. We could not find very good evidence on the extent of implementation, but a 2021 report by UNICEF suggests that implementation was patchy at best. We do not code a concession.
- The 1972 constitution also required the government to establish '*comarcas*' or reserves for indigenous peoples. However, this policy was not immediately or universally implemented.
- A 1998 law increased indigenous control over natural resources, guaranteeing their rights to control and develop lands and resources, engage in autonomous development, and to retain profits from development carried by others within *comarcas*. However, the extent of implementation is questionable as the Panamanian government continued to approve several controversial projects that severely impacted on indigenous communities in the country (Wickstrom, 2003: 46, 59; MRGI; also see below). We do not code a concession.
- In 2003, the Panamanian government repealed environmental laws that had "recognized Indigenous people's right to use and manage natural resources in their lands and *comarcas*, that [had] required authorization for the industrial and commercial use of Indigenous resources and agreement with Indigenous representatives for any project on Indigenous land, and that [had] necessitated obtaining prior consent before Indigenous people could be relocated. There was no process of consultation with interest groups such as Indigenous people" (Cansari & Gausset, 2013: 3). This change appears to have further eroded indigenous control over natural resource projects in their areas, so we code a restriction. [2003: autonomy restriction]
- In 2008, Panama adopted Law 72, which set out a special procedure for awarding collective titles to lands of indigenous peoples outside of the *comarcas* (reserves). Implementation has been patchy at best, but there have been some steps. By ca. 2020-2022, a total of five indigenous territories had been titled under the law; 25 more claims are outstanding (IWGIA). We code a land rights concession but note that this is an ambiguous case. [2008: autonomy concession]
- In 2011, the Panamanian government reformed the 1963 mining code. The changes further eroded indigenous control over natural resources in their *comarcas*, potentially paving the road for mining projects in *comarcas* without prior consent by indigenous peoples. The change led to large-scale protests among indigenous peoples (Cansari & Gausset, 2013). We do not code a restriction because the Naso did not have a *comarca* until 2020.
- In 2016, the government passed Law 37, which established mechanisms for prior, free and informed consent of indigenous peoples. According to Cultural Survival (2019), "This is a nominally positive step, however, Indigenous communities were not consulted in the process of developing the law itself, and better efforts need to be made to include Indigenous communities in the regulation of this law and its implementation." Overall, implementation of Law 37 seems to

have been patchy at best, and we could not find evidence to suggest that Law 37 led to a material change in the protection of indigenous groups' land rights. We do not code a concession.

- In 2018, the Panamanian parliament passed a law creating the Naso Tjer region, i.e., a comarca (reservation) for the Naso. The law was vetoed by the president, but in October 2020 the Supreme Court ruled in favor of it, thus paving the way for a Naso comarca (Kennedy, 2021; IWGIA, n.d.). [2020: autonomy concession]

### Regional autonomy

- The Naso were granted their own comarca in 2020. Several sources suggest that comarcas provide meaningful autonomy. According to MRGI, the comarcas “have a significant degree of autonomy and are free from taxation.” According to van Cott (2001: 33), the extent of regional autonomy enjoyed by indigenous groups in Latin America is greatest in Colombia and Panama, “where indigenous authority structures are well-institutionalized and widely supported among the indigenous population.” It should be noted though that Cansari & Gausset (2013) clarify that autonomy is not “full” because indigenous comarcas have control over surface resource but not underground resources. On this basis, we would code autonomy from 2021, but not in 1973-2020. [1973-2020: no regional autonomy]

### De facto independence

NA

### Major territorial changes

- [2020: establishment of regional autonomy]

### EPR2SDM

<i>Movement</i>	Naso
<i>Scenario</i>	No match
<i>EPR group(s)</i>	-
<i>Gwgroupid(s)</i>	-

### Power access

- This particular indigenous group is not included in EPR, but EPR suggests that while indigenous peoples had some representation, it was overall highly limited and on therefore all indigenous groups are considered powerless. [1973-2020: powerless]

### Group size

- There were ca. 4,000 Naso according to the 2010 census, which put Panama's population at 3.4 mio (MRGI). [0.0012]

## Regional concentration

- Information is scarce, but the sources we consulted suggest that most Naso live in their own territory in northwestern Panama and that the criteria for regional concentration are likely met (Kennedy, 2021; Paiement, 2007). [regional concentration]

## Kin

- We found no evidence for transborder ethnic kin. [no kin]

## Sources

- Cansari, Rogelio and Quentin Gausset (2013). "Along the Road: The Ngäbe-Buglé Struggle to Protect Environmental Resources in Panama." *The International Indigenous Policy Journal* 4(3): 1-15.
- Cederman, Lars-Erik, Andreas Wimmer, and Brian Min (2010). "Why Do Ethnic Groups Rebel: New Data and Analysis." *World Politics* 62(1): 87-119.
- Cultural Survival (2019). Observations on the State of Indigenous Human Rights in Panama. [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj27aLqsb6AhUJSkEAHSxAD8AQFnoECA0QAQ&url=https%3A%2F%2Fwww.culturalsurvival.org%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpanamaupr\\_2014.pdf&usg=AOvVaw0VbowskiEFZIPntCiI\\_Nb78](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj27aLqsb6AhUJSkEAHSxAD8AQFnoECA0QAQ&url=https%3A%2F%2Fwww.culturalsurvival.org%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpanamaupr_2014.pdf&usg=AOvVaw0VbowskiEFZIPntCiI_Nb78) [October 4, 2022]
- GADM (2019). Database of Global Administrative Boundaries, Version 3.6. <https://gadm.org/> [November 19, 2021].
- Gaunt, Jeremy (2021). "When Big Green Projects Clash with Indigenous Rights." *Tenure Facility*. <https://thetenurefacility.org/article/when-big-green-projects-clash-with-indigenous-rights/> [March 30, 2022].
- Inspection Panel (2010). "Investigation Report: Panama: Land Administration Project (Loan No. 7045-PAN)." World Bank.
- IWGIA (n.d.). "Indigenous Peoples in Panama." <https://www.iwgia.org/en/panama.html> [March 25, 2022].
- Kennedy, Jennifer (2021). "After Landmark Territorial Win, Naso People of Panama Look to the Future." *NACLA*. <https://nacla.org/news/2021/02/10/landmark-territorial-win-panama-naso-people> [March 30, 2022].
- Meditz, Sandra W., and Dennis M. Hanratty (eds.) (1987). *Panama: A Country Study*. Washington, DC: GPO for the Library of Congress.
- Minorities at Risk Project (MAR) (2009). College Park, MD: University of Maryland.
- Minority Rights Group International. *World Directory of Minorities and Indigenous Groups*. <http://minorityrights.org/directory/> [November 9, 2021].
- Nexis. <https://www.nexis.com> [March 30, 2022].
- Paiement, Jason Jacques (2007). *The Tiger and the Turbine. Indigenous Rights and Resource Management in the Naso Territory of Panama*. Phd Thesis, McGill University.
- Solano, Milton (2022). "Panama Province Boundaries 2022." Instituto Geográfico Nacional Tommy Guardia. <https://stridata-si.opendata.arcgis.com/datasets/b10ef3313cd448858f0a04c57fd40b89> [July 17, 2023].
- UNICEF (2021). "Intercultural Bilingual Education in Latin America." <https://www.unicef.org/lac/media/23246/file/Intercultural-Bilingual-Education.pdf> [March 25, 2022].
- Van Cott, Donna L. (2001). "Explaining Ethnic Autonomy Regimes in Latin America." *Studies in*



- Comparative International Development* 35(4): 30-58.
- Vogt, Manuel, Nils-Christian Bormann, Seraina Rüegger, Lars-Erik Cederman, Philipp Hunziker, and Luc Girardin (2015). "Integrating Data on Ethnicity, Geography, and Conflict: The Ethnic Power Relations Data Set Family." *Journal of Conflict Resolution* 59(7): 1327-1342.
- Wickstrom, Stefanie (2003). "The Politics of Development in Indigenous Panama." *Latin American Perspectives* 30(4): 43-68.

## **Ngöbe-Bugle**

Activity: 1945-2020

### **General notes**

- The Ngöbe are the largest of the three main indigenous groups in Panama (MAR; MRGI). The Ngöbe are closely related to another group, the Bugle (MAR). In SDM the two groups are combined to one umbrella group, thus following EPR. The term Guaymí used to be used to jointly refer to the two groups (MRGI).

### **Movement start and end dates**

- The Ngöbe and Bugle indigenous groups in Panama have long campaigned for land rights and their own reservations. The first evidence of separatist activity we found is in 1940, when the Ngöbe-Bugle Congress was established (Thorne, 2004: 322), thus the start date. We begin to code the movement in 1945, though noting that the movement had been active (and non-violent) already before. The Ngöbe-Bugle Comarca (reservation) was established in 1997. The Congress continues to press for increased autonomy (MAR; Thorne, 2004; Telemetro, 2016; MRGI). Thus the movement is pegged as ongoing in 2020. [start date: 1940; end date: ongoing]

### **Dominant claim**

- We start to code separatist activity in 1940 with the foundation of the Ngöbe-Bugle Congress (Thorne, 2004: 322). The Ngöbe-Bugle movement has since been demanding autonomy and the protection of their land and culture (MRGI). This is confirmed by Cansari and Gausset (2013: 8), who state that the “Ngöbe-Bugle movement is [...] about the autonomy of the Indigenous territory and the protection of Indigenous culture.” In 1997 the Ngöbe-Bugle were granted their own comarca (reserve) and they have since made claims for the inclusion of additional traditional Ngöbe-Bugle territories and increased control over natural resource projects (e.g. Wickstrom 2003; MAR; MRGI). [1945-2020: autonomy claim]

### **Independence claims**

NA

### **Irredentist claims**

NA

### **Claimed territory**

- The exact contours of the territory claimed by the Ngöbe Bugle is unclear. The evidence we could find suggests that claims extend beyond the Ngöbe-Bugle comarca that was established in 1997 (MAR; MRGI; Wickstrom, 2003: 58); however, we could not find any specific information on the groups' claims beyond the comarca. We therefore flag this claim as ambiguous and use the current Ngöbe Bugle comarca as coded in the Global Administrative Areas database as an approximation.

## **Sovereignty declarations**

NA

## **Separatist armed conflict**

- No violent activity was found, and thus the entire movement is coded NVIOLSD. [NVIOLSD]

## **Historical context**

- The Spanish first arrived in Panama in 1501 and shortly thereafter became a Spanish colony. At the time, the Ngöbe-Bugle inhabited a larger area touching both the Atlantic and Pacific; but over the following centuries, the Ngöbe-Bugle were increasingly forced into the less desirable mountainous region in west Panama. In 1821, Panama became part of independent Colombia. In 1903, Panama seceded from Colombia, with the support of the U.S. (MAR; Meditz & Hanratty, 1987; MRGI). Contrary to some other states in the region, Panama's historic strategy towards indigenous people was one of assimilation and less of extermination. The Ngöbe-Bugle were frequent victims of land theft; and a key problem is that the central government had historically maintained the right to natural resources in indigenous areas (Wickstrom, 2003), a practice that had given rise to repeated land grabs and forced relocations (MRGI).

## **Concessions and restrictions**

- The 1972 constitution guarantees the right to bilingual education to indigenous peoples. We could not find very good evidence on the extent of implementation, but a 2021 report by UNICEF suggests that implementation was patchy at best. We do not code a concession.
- The 1972 constitution also required the government to establish '*comarcas*' or reserves for indigenous peoples. However, this policy was not universally implemented and the Ngöbe-Bugle were only granted their own comarca in 1997 (MRGI; MAR; EPR; Cansari & Gausset, 2013; Wickstrom, 2003: 58). Notably, though, the Ngöbe-Bugle reserve covers only around half of all traditional Ngöbe-Bugle lands (Wickstrom, 2003). [1997: autonomy concession]
- A 1998 law increased indigenous control over natural resources, guaranteeing their rights to control and develop lands and resources, engage in autonomous development, and to retain profits from development carried by others within comarcas. However, the extent of actual implementation is questionable as the Panamanian government continued to approve several controversial projects that severely impacted on indigenous communities in the country (Wickstrom, 2003: 46, 59; MRGI; also see below). We do not code a concession.
- In 2003, the Panamanian government repealed environmental laws that had "recognized Indigenous people's right to use and manage natural resources in their lands and comarcas, that [had] required authorization for the industrial and commercial use of Indigenous resources and agreement with Indigenous representatives for any project on Indigenous land, and that [had] necessitated obtaining prior consent before Indigenous people could be relocated. There was no process of consultation with interest groups such as Indigenous people" (Cansari & Gausset, 2013: 3). This change appears to have further eroded indigenous control over natural resource projects in their areas, so we code a restriction. [2003: autonomy restriction]
- In 2008, Panama adopted Law 72, which set out a special procedure for awarding collective titles to lands of indigenous peoples outside of the comarcas (reserves). Implementation has been patchy at best, but there have been some steps. By ca. 2020-2022, a total of five territories had been titled under the law; 25 more claims are outstanding (IWGIA, n.d.). We code a land rights concession but note that this is an ambiguous case. [2008: autonomy concession]
- In 2011, the Panamanian government reformed the 1963 mining code. The changes further eroded indigenous control over natural resources in their comarcas, potentially paving the road for mining projects in comarcas without prior consent by indigenous peoples. The change led to

large-scale protests among indigenous peoples (Cansari & Gausset, 2013). [2011: autonomy restriction]

- There was a second restriction in because a hydroelectric project in the Bocas del Toro province was completed. Because the dam's operation deviated the Changuinola river that provided the Ngöbe-Bugle with drinking water, many indigenous people were displaced from their homes (MRGI). We code an autonomy/land rights restriction.
- Also in 2011, an agreement was finally reached with the Panamanian government regarding natural resource projects in the Ngöbe-Bugle comarca. The agreement abolished a 1975 law providing for copper mining in the Cerro Colorado area, which lies within the Ngöbe-Bugle area, thereby cancelling any mining there. The law also cancelled and required that future hydroelectric projects required the approval of the General Comarca of the Ngöbe-Bugle comarca. Furthermore, people forced to move as a result of a dam project would be given compensation and relocated to land of comparable quality (Cansari & Gausset, 2013). However, implementation remains questionable. MRGI reports that a dam project (Barro Blanco dam) was approved in 2016 despite the Ngöbe-Bugle General Congress voting against it. We do not code a concession.
- In 2016, the government passed Law 37, which established mechanisms for prior, free and informed consent of indigenous peoples. According to Cultural Survival (2019), "This is a nominally positive step, however, Indigenous communities were not consulted in the process of developing the law itself, and better efforts need to be made to include Indigenous communities in the regulation of this law and its implementation." Overall, implementation of Law 37 seems to have been patchy at best, and we could not find evidence to suggest that Law 37 led to a material change in the protection of indigenous groups' land rights. We do not code a concession.
- Construction work for the Barro Blanco dam was approved in 2011 without the consent of the Ngöbe-Bugle communities that inhabit and claim the territories where the dam was to be built. In 2016, the Ngöbe-Bugle General Congress formally rejected the dam's completion, but Panama's Supreme Court ruled in favour of the project, allowing it to begin operating later that year (MRGI). According to IWGIA (n.d.), "Indigenous communities were forcibly evicted from the project area in order to begin a test fill of its reservoir, which flooded sacred sites, farmland and houses" (see also, Telemetro, 2016). MRGI equally reports that the dam's operations have "caused severe inundations, mass fish killings and destroyed the crops upon which the Ngäbe-Buglé community relies." Moreover, there are reports that in 2018, the Tabasará river was drained for maintenance work in the dam, which wiped out local fish stocks that feed the Ngöbe-Bugle (MRGI). We code a land rights/autonomy restriction in 2016, the year the dam began operating. [2016: autonomy restriction]

### **Regional autonomy**

- The Ngöbe-Bugle received their own comarca (reserve) in 1997. Several sources suggest that this gave rise to meaningful autonomy. According to MRGI, the comarcas "have a significant degree of autonomy and are free from taxation." According to van Cott (2001: 33), the extent of regional autonomy enjoyed by indigenous groups in Latin America is greatest in Colombia and Panama, "where indigenous authority structures are well-institutionalized and widely supported among the indigenous population." Finally, EPR codes the Ngöbe-Bugle with autonomy from 1998 onwards. It should be noted though that Cansari & Gausset (2013) clarify that autonomy is not "full" because indigenous comarcas have control over surface resource but not underground resources. [1998-2020: regional autonomy]

### **De facto independence**

NA

## Major territorial changes

- [1997: establishment of regional autonomy]

## EPR2SDM

<i>Movement</i>	Ngöbe-Bugle
<i>Scenario</i>	No match/1:1
<i>EPR group(s)</i>	Ngäbe-Buglé
<i>Gwgroupid(s)</i>	9503000

## Power access

- EPR considers the Ngöbe-Bugle politically irrelevant from 1946-59, but SDM suggests an active separatist movement during these years (as well as in 1945). Following information provided in the EPR coding notes we code the group as powerless for all years this movement has been active. According to the EPR coding notes, “although some indigenous leaders have achieved political posts at the national level, and a few seats are reserved for them in the National Assembly (World Directory of Minorities and Indigenous Peoples 2005b), indigenous groups remain mostly powerless at the national level.” The powerless code is supported by MRGI, which states that: “While the National Assembly has now dedicated three seats for Ngäbe-Buglé legislators, community members continue to be sidelined from major decision making, including various developments that impact directly on the community.” [1945-2020: powerless]

## Group size

- EPR suggests a group size of 4% until 1997 and 9% thereafter. This broadly matches with MRGI, which cites the 2010 census which counted 260,000 Ngöbe and 25,000 Ngöbe, which in combination suggests a relative group size of 8.4% of Panama’s population in 2010 (3.4 mio). Furthermore, Cansari & Gausset (2013: 7f) and Wickstrom (2003) report that indigenous groups in Panama have been growing demographically in recent years, consistent with EPR. We follow EPR. [1945-1997: 0.04; 1998-2020: 0.09]

## Regional concentration

- Data from Panama’s National Statistical Institute suggests that >95% of the Ngöbe-Bugle comarca were indigenous (predominantly Ngöbe-Bugle) in 2010, and that a little over 50% of all ca. 285,000 Ngöbe-Bugles lived in the reservation (see p. 40). EPR also codes regional concentration, though EPR applies a lower bar. Vakis & Lindert (2000) suggest that the Ngöbe-Bugle primarily live in the western provinces of Bocas del Toro and Chiriquí. Similarly MRGI suggests that most Ngöbe-bugle live in the the western provinces of Bocas del Toro, Veraguas and Chiriquí, but that a considerable number have also migrated to other parts of Panama in search of employment. [regional concentration]

## Kin

- We found no evidence for transborder ethnic kin. [no kin]

## Sources

- Cansari, Rogelio and Quentin Gausset (2013). "Along the Road: The Ngäbe-Buglé Struggle to Protect Environmental Resources in Panama." *The International Indigenous Policy Journal* 4(3): 1-15.
- Cederman, Lars-Erik, Andreas Wimmer, and Brian Min (2010). "Why Do Ethnic Groups Rebel: New Data and Analysis." *World Politics* 62(1): 87-119.
- Cultural Survival (2019). Observations on the State of Indigenous Human Rights in Panama. [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj27aLqsb6AhUJSkEAHSxAD8AQFnoECA0QAQ&url=https%3A%2F%2Fwww.culturalsurvival.org%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpanamaupr\\_2014.pdf&usg=AOvVaw0VbowskiEFZIPntCiI\\_Nb78](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwj27aLqsb6AhUJSkEAHSxAD8AQFnoECA0QAQ&url=https%3A%2F%2Fwww.culturalsurvival.org%2Fsites%2Fdefault%2Ffiles%2Fmedia%2Fpanamaupr_2014.pdf&usg=AOvVaw0VbowskiEFZIPntCiI_Nb78) [October 4, 2022]
- GADM (2019). Database of Global Administrative Boundaries, Version 3.6. <https://gadm.org/> [November 19, 2021].
- Instituto Nacional de Estadística y Censo Panama (n.d.). "Diagnóstico de la Población Indígena de Panamá con base en los Censos de Población y Vivienda de 2010." [https://www.inec.gob.pa/archivos/P6571INDIGENA\\_FINAL\\_FINAL.pdf](https://www.inec.gob.pa/archivos/P6571INDIGENA_FINAL_FINAL.pdf) [25 March 2022].
- IWGIA (n.d.). "Indigenous Peoples in Panama." <https://www.iwgia.org/en/panama.html> [March 25, 2022].
- Meditz, Sandra W., and Dennis M. Hanratty (eds.) (1987). *Panama: A Country Study*. Washington, DC: GPO for the Library of Congress.
- Minorities at Risk Project (2009). College Park, MD: University of Maryland.
- Minority Rights Group International. *World Directory of Minorities and Indigenous Groups*. <http://minorityrights.org/directory/> [November 9, 2021].
- Telemetro (2016). Indígenas presentan denuncia contra ASEP por llenado de proyecto Barro Blanco. <https://www.telemetro.com/nacionales/2016/05/31/indigenas-presentan-asep-barro-blanco/1427750.html> [October 5, 2022]
- Thorne, Eva T. (2004). Ethnic and Racial Political Organization in Latin America. In Maria Buvinic, Jacqueline Mazza, Ruthanne Deutsch (eds.), *Social Inclusion and Economic Development in Latin America*, 307-334. Baltimore, MD: John Hopkins University Press.
- UNICEF (2021). "Intercultural Bilingual Education in Latin America." <https://www.unicef.org/lac/media/23246/file/Intercultural-Bilingual-Education.pdf> [March 25, 2022].
- Vakis, Renos, and Kathy Lindert (2000). "Poverty in Indigenous Populations in Panama: A Study Using LSMS Data." *LCSHD Paper Series*. World Bank.
- Van Cott, Donna L. (2001). "Explaining Ethnic Autonomy Regimes in Latin America." *Studies in Comparative International Development* 35(4): 30-58.
- Vogt, Manuel, Nils-Christian Bormann, Seraina Rüegger, Lars-Erik Cederman, Philipp Hunziker, and Luc Girardin (2015). "Integrating Data on Ethnicity, Geography, and Conflict: The Ethnic Power Relations Data Set Family." *Journal of Conflict Resolution* 59(7): 1327-1342.
- Wickstrom, Stefanie (2003). "The Politics of Development in Indigenous Panama." *Latin American Perspectives* 30(4): 43-68.