



Displacement from Ancestral Lands Undermines the Health of Ngäbe Indigenous Communities in Bocas del Toro, Panama

Why legal protection of ancestral lands is essential to ensure our right to health

Numerous UN bodies have emphasized that Indigenous health is inextricably linked to access to our ancestral lands. As the UNPFII has noted: “[F]or Indigenous Peoples, harm to lands, ecosystems, food systems, languages or governance structures is experienced immediately as a harm to health.”

In the province of Bocas del Toro, Panama, insecure land tenure has undermined our Indigenous Ngäbe communities’ health and well-being for generations. Although Panama has a system of “comarcas”, or government-recognized Indigenous territories where Indigenous Peoples exercise limited self-government, hundreds of thousands of Indigenous people were left outside the boundaries of the comarcas. Without legal protections for the lands where they live, they face structural discrimination and persistent rights violations.

Some 150,000 members of our Ngäbe communities in Bocas del Toro have lived in this legal limbo for decades. When the Ngäbe-Buglé Comarca was created by Law 10 of 1997, it excluded our communities in the province of Bocas del Toro, where 90% of the population is Ngäbe. However, Law 10 required the Panamanian Government to demarcate our Ngäbe lands in Bocas del Toro as “annex areas” to the Comarca within two years. 29 years later, the Panamanian Government has failed to do so.

This situation of insecure land tenure has left our communities vulnerable to displacement from our ancestral lands. Indeed, dozens of Ngäbe communities have been forced to relocate from their homes in recent decades, almost always without their free, prior, and informed consent. Those who remain face constant pressure to abandon our lands.

Primary Drivers of Displacement of Our Ngäbe Communities

Our communities have long faced displacement from coastal areas and the Bocas del Toro islands, including due to residential tourism. Highway construction in the 1990s accelerated and expanded land grabs on the mainland. Such dispossession undermines the underlying determinants of our health, including by limiting access to our traditional diets and sources of clean water, rupturing the social and cultural fabric of our communities, and disrupting our relationship with Mother Earth. Among the drivers of displacement enabled by the construction of this highway are the following:

1. The construction of large-scale development projects. Hydroelectric dams—typically developed by private actors with backing from the Panamanian government—have displaced numerous Ngäbe communities. For example, the Chan-75 dam displaced dozens of Ngäbe people when it was constructed in 2011, uprooting them from traditional food systems, fracturing place-based social and cultural cohesion, and interrupting the transmission of traditional knowledge. Similarly, Panama’s third electrical transmission line was built across ancestral Ngäbe territories—including the unrecognized annex areas—without consulting local communities. A project to construct Panama’s fourth transmission line through Ngäbe lands is currently on hold.

2. The establishment of “protected areas” for ecological conservation. Three protected areas have been established in Bocas del Toro: the Palo Seco Protected Forest, La Amistad International Park, and the San San Pond Sak National Wetland Reserve. When the Panamanian government established these protected areas, it restricted traditional Ngäbe subsistence practices, including sustainable hunting and farming—despite the fact that these Ngäbe practices have conserved biodiversity in this land for centuries.

3. The expansion of monoculture and industrial agriculture. Displacement driven by agribusiness is often framed as individual disputes over titles, boundaries, or land use, rather than what it truly is: systemic dispossession of ancestral lands, frequently with the support of local administrative and judicial authorities. When the abovementioned highway was constructed, non-Indigenous people began flooding the region and acquiring land titles to areas long inhabited by Ngäbe communities. One emblematic case is that of the Castrellón family, who have faced decades of legal and physical harassment at the hands of a person who seeks to claim their land and convert it for use in the cattle ranching industry. In 2006, the family’s homes were destroyed in a violent attempt to evict them, but they refused to leave, rebuilding instead. The family has continued to face a constant threat of eviction, with serious ramifications for their physical and mental health. As recently as last week, members of the family faced renewed attempts to coerce them to abandon their homes. The Castrellon family is one of hundreds of Ngäbe families facing similar threats of displacement due to insecure land tenure throughout the Bocas del Toro province, including in areas that Law 10 of 1997 identified as “annex areas” to be designated as part of the Ngäbe-Buglé Comarca.

Health Impacts of Land Dispossession on Our Ngäbe Communities

Being forced to leave our ancestral lands has severe adverse impacts on our communities’ physical, mental, cultural, and spiritual health: When we are displaced or threatened with dispossession, we are also exposed to violence, disease, and lost lives. Land dispossession undermines our food sovereignty and access to clean water, customary medicinal plants, shelter, and livelihoods. We also experience severe impacts on our mental health: Past displacement and ongoing threats of dispossession force us to live with chronic uncertainty, fear, and marginalization. This particularly affects our children, who live without the certainty of knowing whether their homes will still be standing when they return from school. Attempts to resist displacement have been met with violent state repression. Finally, our traditional lands provide the material basis for our identity and the settings for spiritual and cultural expression. Land displacement disrupts our cosmology and prevents us from maintaining our traditional ways of living in harmony with Mother Earth.

Conclusion & Recommendations

The situation of our Ngäbe communities in Panama exemplifies the importance of demarcating, titling, and otherwise guaranteeing secure land tenure for Indigenous communities as a necessary foundation for ensuring our right to health. We respectfully request that the UN Permanent Forum on Indigenous Issues emphasize in its final recommendations following its 25th session that **UN Member States should: (1) take urgent and effective measures to end the dispossession and displacement of Indigenous communities from their ancestral lands, and (2) guarantee secure tenure for Indigenous peoples over their lands, territories, and resources as a necessary step for ensuring their physical, mental, and cultural health and well-being.**

For more information, please contact:

Feliciano Santos Santos, Coordinator **Olinda Castrellón Sanchez**, Deputy Coordinator
Movement for the Defense of the Territories and Ecosystems of Bocas del Toro (MODETEAB)
modeteab.bocas@gmail.com | Ngäbere or Spanish

Sarah Dorman, Visiting Assistant Clinical Professor of Law
Center for International Human Rights | Northwestern Pritzker School of Law
sarah.dorman@law.northwestern.edu | Spanish or English

This document is presented at the 25th session of the UN Permanent Forum on Indigenous Issues by the Movement for the Defense of the Territories and Ecosystems of Bocas del Toro (MODETEAB), which was established in 2006 to defend Ngäbe people’s rights and ancestral lands. It was prepared with support from the Northwestern Pritzker School of Law’s Center for International Human Rights. For further information in English and Spanish, please visit: <https://www.modeteab.org/news/>