RESEARCH ARTICLES

The Sea Unites Us but It Is Governed to Keep Us Apart: Restoring the Creole Afro-Indigenous Sea Mobilities in the Southwestern Caribbean.

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Increasingly, marine governance advocates for ocean justice and, within it, the rights of coastal communities and indigenous people over the ocean space. Yet, international and state sea regimes strengthen border restrictions, impeding people's mobilities and fracturing the sea interconnectedness. Against this backdrop and delving into the empirical data gathered through ethnographical research, the paper examines the intangible and the material sea (im)mobilities experienced by the Creole Afro-Indigenous communities in the Corn Islands and the San Andres Archipelago in the Southwestern Caribbean Sea. Through the lens of critical ocean geography and mobility studies, it reveals how the maritime boundary regimes and the frameworks of oceans territoriality have impacted indigenous island spatialities in the Nicaraguan-Colombian marine border area for the last decades, disrupting family and social connections, weakening the communities' autonomy, and impeding food and provisions supply between the islands, thus threatening the indigenous rights with implications for ocean justice. The paper finally considers Creole Afro-Indigenous maritime activism's prominent role in decolonizing marine governance in the Greater Caribbean region, suggesting the relevance of laws, norms, structures and ocean governance institutions to acknowledge and incorporate these alternative legalities.

1. Introduction

It took me two days and almost 900 US dollars to get from San Andres Island to Great Corn Island by plane via a circuitous route (see Map 1). I had rather gone by boat, as only 90 nautical miles (approx. 166 Km) separate the two islands. Yet, almost no boats cover this route. At least not regularly, not for passengers, or not legally. My bag was filled with parcels containing yellow cheese, groceries, and envelopes of money sent by San Andres Creoles to their friends and relatives in the neighboring island. People in these Southwestern Caribbean islands are divided by imaginary lines in the sea, borders they cannot easily cross to meet their friends and relatives. As

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Arieli remarks (2012), the real distance between border communities includes the factors that ultimately deter or facilitate cross-border connections, such as time, costs, and the effort expended on border-crossing procedures.

This paper examines people's mobilities across maritime boundaries. In particular, I examine the sea (im-)mobilities of the Creole Afro-Indigenous communities living in the Nicaraguan-Colombian maritime boundary area and their attempts to restore the sea interconnectedness in the Southwestern Caribbean region. I ask to what extent and how the governance of this marine area has influenced Afro-indigenous sea (im-)mobilities and the implications for ocean justice. In doing so, I reflect on both the material and the intangible (im-)mobilities experienced by the Creole Afro-indigenous communities living in the Corn Islands and the San Andres Archipelago and the ocean boundary governance-related drivers of such (im-)mobilities. The paper also considers the black indigenous activism to decolonize marine governance in the Greater Caribbean region.

As seen in [Map 2](#), this sea area encompasses the islands and territories in Central America, as southward as the mouth of the Orinoco River in Venezuela, up to the Gulf of Mexico, and including the Bahamas. Caribbean scholars have conceptually addressed the Greater Caribbean as an unbounded space defined by colonial legacy, ecological features and cultural connections, but recently divided by international maritime boundaries and states' territorial conflicts (Bassi, 2016; Ratter, 2001; Sandner, 1988). Embodied in this sea region, the native people of the Corn Islands and the San Andres Archipelago, are linked between them and with the Greater Caribbean by historical bonds based on kinship, culture, and economic ties. Known as Creole in Nicaragua and Raizal in Colombia (from now on, the term Creole is used indistinctly), these communities consist of Afro-descendants, predominantly protestant, and English-based Caribbean speakers recognized as indigenous populations by the respective state national laws (Nicaraguan Law 28/1987 and Colombian Constitution 1991). Nevertheless, as state-dependent islands, the sea (im-)mobilities of these communities have been primarily determined by their mainland states and continental politics.

In the context of a larger PhD research project, two field trips in 2019 and 2021 to Nicaragua and Colombia allowed me to approach these issues during gatherings in Bluefields, Corn Island, San Andres, Providencia, and Santa Catalina Islands. Ethnographic research was done at the port sites and local harbors, and during boat trips, where I engaged in learning the manifold and everyday ways Creole navigate the policies constraining the cross-border movement of goods and people. During my long stays at the harbors and my attempts to obtain sea travel permits, I also learned how Creole elders, leaders, female activists, and community members strive to maintain social and kinship networks, simultaneously claiming ancestral sea rights and challenging states sovereignty. In addition to these observations, approximately 50 in-depth interviews were conducted with civil servants from local governments, port authorities, representatives of the Colombian
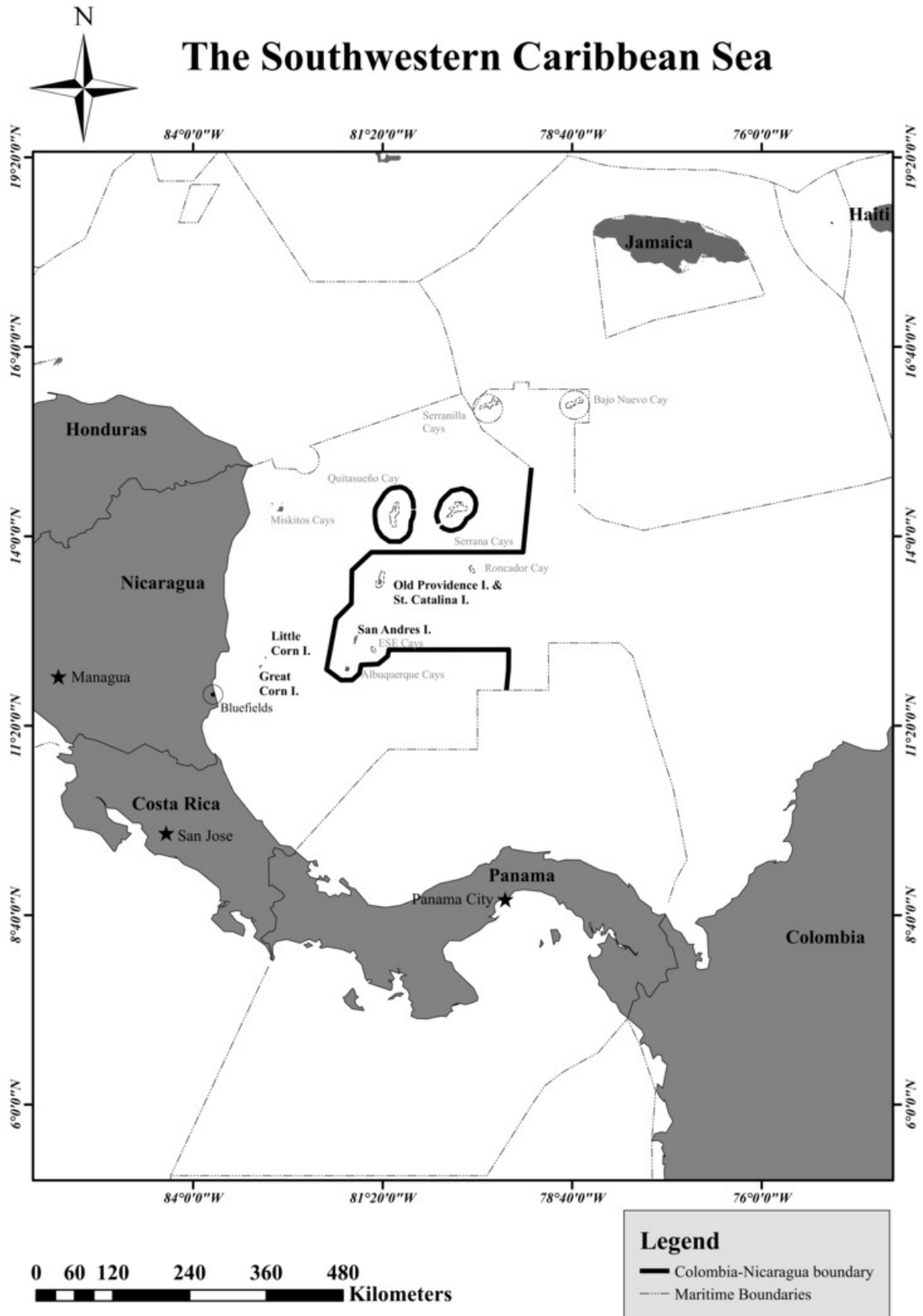
Map 1. The Southwestern Caribbean Sea
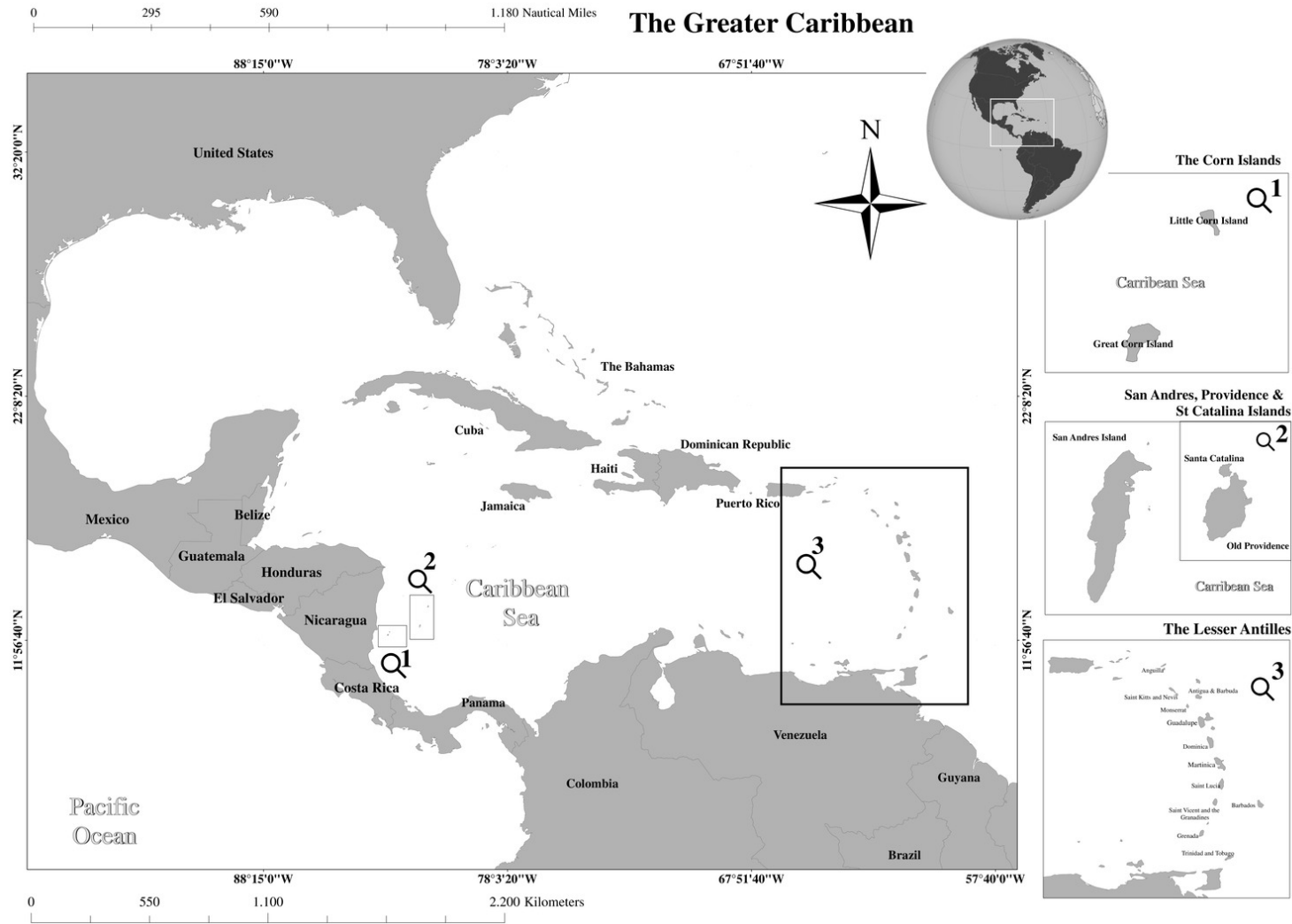
Map 2. The Greater Caribbean

navy, business managers, and entrepreneurs residing in the islands. These helped me to frame the islands connections within the Great Caribbean network from a historical perspective. Among the Creole voices, Afro-Indigenous activism emerged from the Bluefields' Creole women's engagement in fighting for racial and territorial justice. The mismatch between their insights and the views expressed by border authorities illustrates the longstanding justice concerns that stem from settler colonialism impinging upon Creole ancestral tenure and indigenous rights over land and sea spaces.

While the COVID-19 pandemic disrupted my fieldwork, research continued with the help of on-site field assistants in the islands and online interviews. I also incorporate insights from public documentation available on the Nicaragua v. Colombia maritime boundary dispute settled by the International Court of Justice (ICJ, 2012 & ICJ, 2022), as well as policies and regulations enacted by the coastal states concerning the governance of the marine boundary area.

2. Theoretical vantagepoints

At the intersection of critical border research and mobility studies, the flows and movement of commodities, resources, people, and ideas have been intrinsic to understanding border management and state territoriality. Scholars have explored the many ways border control is enacted by states over capital and resources in motion within and beyond the territorial borders (Havice, 2018). Migration and transnational studies, in particular, have contributed to this field by exploring the extra-territorial ways states engage in performing sovereignty and jurisdiction (Casas-Cortes et al., 2014; Walia, 2021). On the other hand, the prominent role of mobility, flows and movement provides alternative notions of understanding and building ocean space (Cresswell, 2010; Harris, 2013), in this case by shifting or dismantling the fixity of national sea borders. In this vein, although scholars acknowledge the polymorphic nature of borders and their fluid character (Konrad, 2015; Rumford, 2012), they also observe that bordering regimes have hardened against the backdrop of the climate crisis, the war on drugs, increasing geopolitical disputes, the Covid pandemic, and the arrival of migrants and asylum seekers, that exacerbate island populations' vulnerability by limiting their movement and imposing harsh and excluding migratory systems (Burridge et al., 2017; Casas-Cortés et al., 2019; Loyd & Mountz, 2014; Vives, 2017).

The entanglements between border regimes and the (im-)mobilities of (coastal) communities are well-known topics in ocean studies. Some of the fields drawing scholarly attention regarding movements across international boundary lines include environmental migration (Zickgraf, 2022), sea migrants (Burroughs & Williams, 2018), and transnational seafarers (Sampson, 2014). Marine social researchers studying the topic in different parts of the world demonstrate how marine practices, and fishing in particular, are affected by maritime boundary regimes (Nimführ & Otto,

2021; Scholtens et al., 2019; Song, 2021), and point out some of the counter-territorialization strategies developed by coastal populations and indigenous communities to contest state-imposed sea immobility (Barrena et al., 2022; Huntington et al., 2020; Stephen & Menon, 2016). Furthermore, ocean critical socio-legal scholars have moved beyond the inquiries around the flows and motion of ships, boats, people, goods, and ideas 'across' the sea to study the legalities of marine life and non-living resource movements happening across borders, under, and through the three-dimensional nature of the ocean and our planet waters (Peters & Squire, 2019; Peters & Steinberg, 2019).

Building on this body of research, the paper illustrates the implications of cross-border sea (im-)mobilities for ocean justice, particularly in the case of state-dependent islands like the Corn Islands and the San Andres Archipelago. Longstanding sea practices become limited by the outcomes of the clash between the islanders' practices of sea spatiality and the states' territoriality within the maritime boundaries established according to the international Law of the Sea (UNCLOS, 1982). Under the latter regime, everyday mobilities became governed by the economic rationale of states' Exclusive Economic Zones (EEZ), an area of 200 nautical miles (230 miles) beyond a nation's territorial sea, in which states retain exclusive rights to the exploration and exploitation of both living and non-living resources. Legally introduced to settle jurisdiction within bounded waters, indigenous people's rights have become entangled within the politics of states' territorial disputes and sea international regimes that barely recognize ancestral marine entitlements (Enyew & Bankes, 2022). The ocean justice literature consistently describes the environmental and social injustices experienced by coastal peoples within and beyond the EEZ, emphasizing the need for multi-scalar, transdisciplinary, and more-than-human ways of governing the oceans. Concerning the marine environment, scholars have underlined the uneven distribution of environmental harms and benefits, as well as the need to involve coastal communities in environmental decision-making processes to tackle climate change impacts and biodiversity loss (Bennett et al., 2023; Martin et al., 2019). More recently, by highlighting the human dimension of the oceans, researchers and policy-makers have raised awareness of the inequalities, dispossession, marginalization, and exclusion of coastal people, including women, fish workers, and indigenous peoples (Allison et al., 2020). By doing so, ocean justice scholarship now includes indigenous and grassroots resistance initiatives demanding justice by contesting exclusion, voicing equal access and opportunities, and proposing alternatives to Western, economy-driven governance processes (Blythe et al., 2023). Although studies in this area have lately been gathered under the banner of 'blue justice' scholarship, I use its broadest definition, in which ocean justice includes, but also goes beyond, the blue-economy and marine resources management counter-narrative, thus including spatial and mobility justice issues. In this sense the paper endorses the sea interconnectedness of indigenous ontologies, remarked, among others, by the Pacific ocean scholars Ingersoll (2016) and

Epeli Hau'ofa (2008), in which ocean-based knowledges and customary mobilities, with and across a borderless sea, become the basis to govern the ocean in just and inclusive ways.

Within this perspective, I examine the role of alternative legalities in restoring the black indigenous sea mobility rights and join the decolonial approach to ocean governance and international ocean regimes (Braverman, 2022b) in which Black and Indigenous sea sovereignties are at the forefront. The paper argues that restoring Creole Afro-Indigenous sea interconnectedness helps reduce the communities' vulnerability to some of the pressing issues that threaten small islands' livelihoods. By delving into the empirical data, I suggest the Creole sea mobility initiatives contribute to meeting Black Indigenous people's rights while fostering new cooperative strategies to deal with geopolitical conflicts, disaster recovery, and food sovereignty. It thus assists in achieving ocean justice within the governance of maritime boundaries.

3. Some historical context to ocean governance in the Greater Caribbean

"Every Creole in Corn Island has friends or relatives in San Andres or Providencia Islands," I repeatedly heard while staying on the islands. "It is thanks to the family connections that many Creole families in Bluefields and the Corn Islands know their roots, it is the same for our brothers in San Andres and Providencia, we all can understand where we come from" stresses Celeste, a female Creole social activist, during one of our encounters in Bluefields. Data collected for this research show that from the ≈ 1,700 Creoles living in the Corn Islands, at least 200 have active connections with their relatives and friends in the San Andres, Providencia, and Santa Catalina Islands (Maps 1 & 2).

While no research has been done on the relationships between the Creoles living on both sides of the Nicaragua-Colombia marine border, nor on the nature of these connections, the qualitative data shows 'remote' relationship is predominantly sustained through social media calls, chats, or the occasional parcels some send to or receive from the neighboring island. However, the majority have not seen each other for more than ten years or longer.

> My mother is Creole from San Andres, and my dad is Creole from Corn Island. I am 26 years old, but I haven't seen my [father's] family for almost 20 years. As one doesn't dare to cross, it has only been through Facebook or WhatsApp. But that's not the same, because we never see each other, we don't know how we are in person, or how we are as a family, I cannot touch them or have real interactions [...]. My father is a fisherman there on Corn Island, one day, he went out to fish and never returned. He has been missing for over a year [...] my grandmother passed on, and she never saw us again. I don't want anyone else to die without having seen them. (Rick, San Andres)

Lineage ties and shared last names are often mentioned as the hinge that keeps them united, demonstrating their kinship. But relationships and family ties extend further than the Corn Islands-San Andres Archipelagic region. The Creoles living in this area belong to the broader autochthonous people of black-British-indigenous descendants settled in the Greater Caribbean area, including the coasts of Limon (Costa Rica), Colón (Panama), Roatán (Honduras), the Mosquitia (Nicaragua), Jamaica, Bermuda, Saint Vincent, and the Cayman Islands, where commercial and other connections prevailed in the colonial period ([Map 3](#)). The formation of a black-Creole diaspora—both connected and dispersed over time—further developed in the course of nation-state building and the post-independence era. During the 19th century most of the indigenous black-Creole territories were segregated, allowing the consolidation of their separate identity. At the end of this century, migrations and mobility occurred once more during the construction of the Panama Canal between the Afro-Creole populations from Limon, Bocas del Toro, and Jamaica. Later on, maritime boundary demarcation deepened the divisions between the Creole Caribbean populations. Nowadays, the shared heritage of music, cuisine, language, and religion are indications of the African, Indigenous, British, and Mestizo roots of the black Caribbean peoples of Jamaica, Trinidad, Cuba, Cayman, Belize, Nicaragua, Costa Rica, Honduras, Curaçao, Suriname, the Southern United States, the Corn Islands, and the San Andres Archipelago (Mantilla et al., 2016; Ratter, 2001; Sandner, 2003).

> When one arrives at those places, one feels at home, identified. People speak your language, look like you, cook the same. (Finn, Corn Island)

Nevertheless, as accurately remarked by the political geographer James Parsons, the marine area is "an enclave within a Spanish-speaking, and catholic world" (1954, p. 7). Like many Caribbean scholars, Parsons acknowledges the solid cultural bonds, interwoven history, and socio-spatial links between the group of southwestern islands to the Greater Caribbean as well as their geopolitical endeavors within the mainland territories in Central and South America (Hofman et al., 2022; Ratter, 2001). This scholarship has demonstrated the persistence of inter-insular networks originating before the colonization processes of the 17th century and surviving the European invasion, partially due to the role played by the Miskito Indians. This indigenous community that inhabits the coastal territories of what today is known as Nicaragua, Honduras, Costa Rica, and Panama included skilled sailors who ventured to sea for fishing and turtle hunting as far as the islands of Cayman and San Andres (Vollmer, 1997). During the colonial period, and well into the 19th century, the Miskito were actively involved in trade between the inland and the insular territories of the Caribbean colonies. Often in alliance with the British and Dutch to prevent Spanish control over the area, the Miskito helped strengthen the existing sea routes

while defending their autonomy in the indigenous territories (Offen, 1999; Olien, 1988). With Bluefields at the heart of the Mosquitia, it became a British base and a contact point in the trading networks that ran from the West on the coasts of Belize to the South in Panama and up to Jamaica and the Cayman Islands. The Corn Islands, San Andres, and Providencia were strategically located for the establishment of cotton plantations and trading points, helping to shape sea connections during the 18th century. Although this period ended with the British gradually receding from its overseas colonies in the Caribbean, that were then considered Spanish possessions by the Versailles Treaty signed between Spain and Great Britain in 1786, the new colonizers focused on dominating the mainland coasts, allowing sea networks to continue to grow in its absence.

The flourishing black population composed of strains of native Miskito, enslaved Africans, and European settlers played an active role in the prosperous commercial network that existed between Curaçao, Cayman, Jamaica, the United States, and the Caribbean Nicaraguan Coasts. These native English speakers who referred to themselves as "Creoles" were a "coloured," empowered, and almost self-governed community (Gordon, 1998, p. 39). Living in Jamaica, San Andres, the Corn Islands, Providencia, Bluefields, and Pearl Lagoon, they constituted a self-governed network in the Caribbean during the 19th century. In this capacity, they also participated in the independence movements of the Spanish colonies in the continental territories of Central and South America.

> We cannot forget this history. Or we must learn it again. That way, we know our rights as Afro-descendant people. Rights that do not expire. And we also understand the actual size of our territory. And then we will realize we cannot lose even one centimeter of our land and sea because rights are also based on territory. They [the states] know it, and if they take away our resources, they restrict us. How are we going to survive? (Celeste, Bluefields)

The states' incursions into adjacent sea space started after the colonial period, and with independence the regional autonomy and interconnectedness of the area were disrupted. After the Spanish retreated in the 19th century, the newly configured nations of Central and South America were eager to assert territorial rights over adjacent marine areas. Both the Gran Colombia (today Colombia, Venezuela, and Ecuador) and the United Provinces of Central American Nations (today El Salvador, Nicaragua, Honduras, Guatemala, and Costa Rica) fought to gain control over the mainland Mosquitia in Central America and the adjacent islands of Corn Island, San Andres, Providencia, and Santa Catalina. Amid these claims, by 1844, the Miskito region was declared a British protectorate. The legal
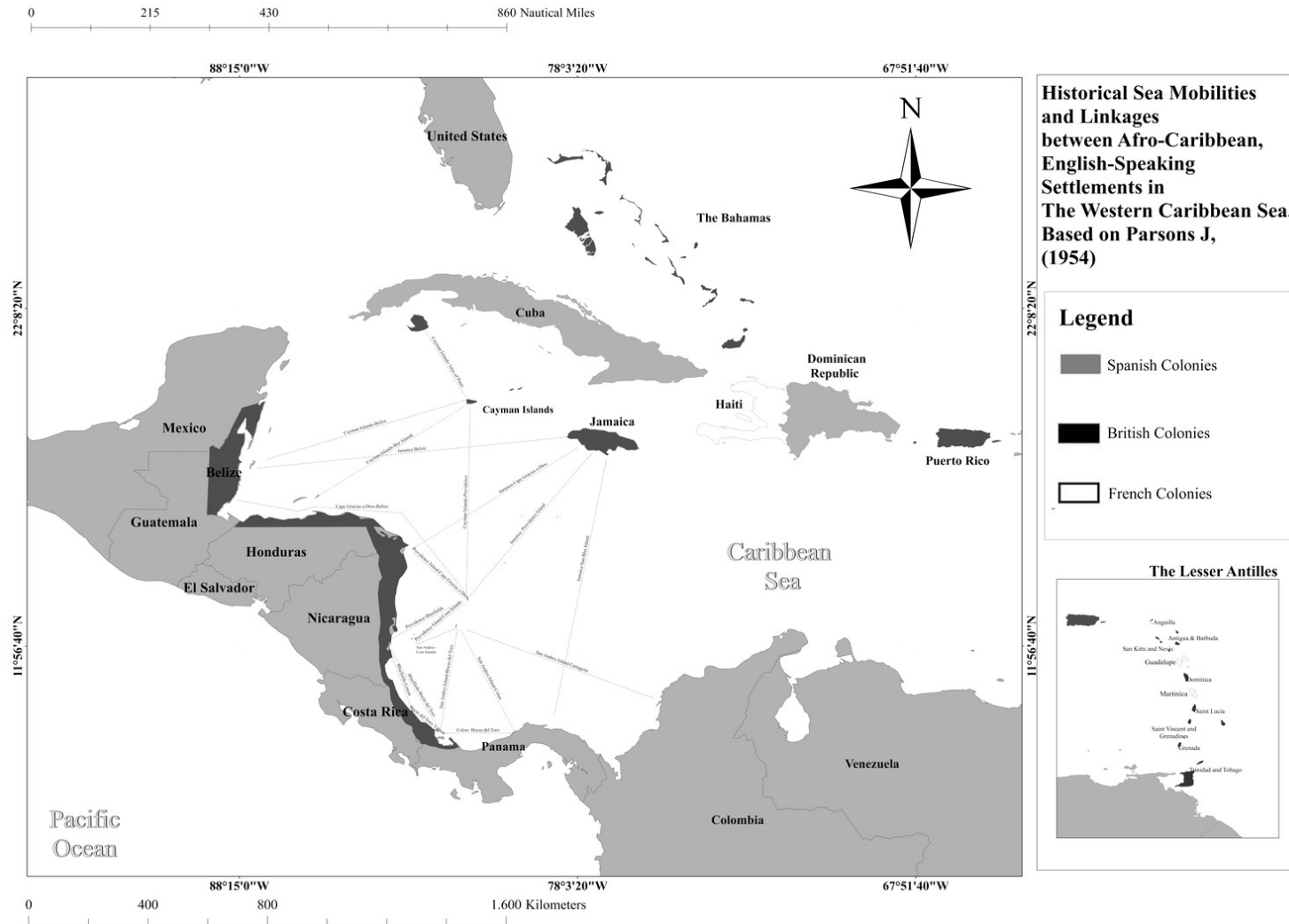
Map 3. Historical Sea Mobilities between Afro-Caribbean British Settlements (Based on Parsons, J. 1954)

rights over this territory changed in 1905 with the Harrison-Altamirano Treaty between Great Britain and Nicaragua, according to which the British withdrew and the Corn Islands were again recognized as Nicaraguan.

> For these two states [Nicaragua and Colombia], we were farmlands they did not know but were willing to acquire and divide. Our social fabric was jeopardized. (Celeste, Bluefields)

New colonization processes were undertaken by the centralized governments based in Managua and Bogotá. During the 20th century, the Central and South American nations engaged in acquiring sovereign rights. By 1928, Nicaragua and Colombia signed the Esguerra-Barcenas boundary treaty to define territorial borders in the Caribbean Sea, sealing the San Andres Archipelago and the Corn Islands' geopolitical disjunction and splitting their ancestral territory. Moreover, both Nicaragua and Colombia built their nation-building projects around a unified mestizo/white culture, Spanish language, catholic religion, and expressions of military power. While the nationalization of the Caribbean islands jeopardized Creole cultural traditions, the trend was further expanded by the Colombian economic policies. In 1950 San Andres was declared Free Port, the airport was enlarged, numerous hotels and shopping centers were set up, and tourism sparked all over the island. By 1980 the Creoles had become outnumbered by a new wave of migrant settlers arriving from the Colombian mainland, Libya and Palestine, causing land displacement, forced migration, and discrimination (Albuquerque & Stinner, 1978; Londoño & González, 2017).

The consequences of the *Colombianization* process for the pattern of indigenous sea mobilities were considerable. Large shipping expeditions bringing tax-free goods gradually took the place of the traditional sea routes for small-scale trade. Without political autonomy, "restraints and restrictions on the normal cultural and commercial relations and mobility of these peoples of such similar background" were imposed (Parsons, 1954, p. 13). "Our families were divided, not only physically, but separating their affections, relations and cultural as well as commercial relationships, which would be gradually repressed by unsympathetic government policies on either side of the newly established frontiers" (Petersen, 2001, p. 57).

The Creoles living in Corn Island and Bluefields observe that before San Andres was declared Free Port, they mostly exchanged crops that would not grow in San Andres, like small red beans or avocado. Dry coconut and turtle meat, which was not prohibited then, were also transported. The range of trading products expanded from 1950 until the nineties as more imported goods arrived in San Andres, or little Miami, as it was known among the locals. Hygiene items like laundry detergents, soap, toothpaste, and toilet paper came in demand in the Corn Islands. Food products from Canada and the United States like powdered milk, cornmeal, yellow cheese, sausages, salty pigtail, pork ribs, and canned food are still favorites among the Creoles living

in the Corn Islands and Bluefields. According to those participating in trade in this period, these items would be exchanged for lobster harvested in the nearest Nicaraguan fishing banks.

Alongside political economy, the indigenous sea trade decreased at the background of drug trafficking. This increased in the Colombian mainland during the nineties, and smugglers readily made use of the sea routes from the Caribbean coasts to North America (Valencia, 2016). Locally known as the "border back door," the flow of migrants, drugs, and arms in this maritime area permeated the customary sea movements. The aggressive military presence and the involvement of some Creole, mainly youth from San Andres and Providencia, in illicit activities increased the restrictions and also the fear of moving across borders.

> Out there in the sea, whoever is armed is the one ruling. The US Navy, the smugglers, the Colombian or Nicaraguan Coast Guards...they all know it, and so they intimidate our people. (Armando, Corn Island)

The lively interactions between Creole communities that existed sixty years ago changed into hazardous, expensive, and outlawed activities. In past decades, Nicaraguan and Colombian market systems have overwhelmed and crushed the islands' local dynamics and their autonomous trade and social networks. Lobster fisheries grew to industrial levels and their prices became regulated by the international market, dissuading the exchange among artisanal fishers. The islands' crops and groceries were also excluded from the national trade markets by the new policy regulations and, similarly, cargo and passenger boats heading to Corn Island now must first report to the port authority in the Bluff, located in Bluefields, 80 km. away, making the trip longer, unattractive, and expensive. To date, harvested products like bananas, avocados, or coconuts are still in demand in San Andres and Providencia, but producers in Corn Island cannot supply them.

> We grow and harvest a lot here [in Corn Island], the crops are cheap, but there is not enough market, and they get rotted. These products lack in San Andres but we cannot ship them. (Richard, C.I.)

Instead, harvested products grown on the Colombian mainland are packed for an overland journey of more than 1,000 km and then loaded for a boat trip of ≈ 720 km to finally arrive in San Andres. To get to Providencia, products must travel another 95 km, resulting in costly food, fruits, and vegetables.

> Commodities arrive at high prices, but we do not have a ship regularly transporting products and regulating prices [...]. There are a lot of commercial and political interests involved, putting the food security of our communities at stake [...]. We have

> tried many times but they [the Colombian and Nicaraguan governments] say the marine route does not exist. If you manage to make the first trip, you will be in trouble for the second one...the police, the customs office, and the navy will be there. Making one fear or get upset about filling out so many forms and paying bribes [...] and still, you won't be allowed to cross the border [...], so the needs are there, the products are there, the people claim, but the governments do nothing. (David, Bluefields)

The sense of a state-imposed insularity increased in the context of the turbulent geopolitics of the maritime area sparkled by UNCLOS (1982). The Nicaraguan Sandinista Government declared invalid the 1928 Nicaraguan-Colombian boundary treaty and conflicts increased over access to and exploitation of the territorial living and non-living marine resources (Sandner, 1988). Against this context Celeste reflects:

> How can there be borders between families? What happened to our sea? The international borders are new, but our rights endure! When international interests are at stake, the people mean nothing [...] those borders and nations have separated our people [...]. For us, these are imaginary borders. We had a very strong relationship of informal trade, of cultural relations, but with borders nations try breaking the ties. And we firmly believe that a problem between countries could be resolved between ethnic peoples. (Celeste, Bluefields)

While territorial tensions are exacerbated, people's mobilities are met by new obstacles. In 2001 Nicaragua filed a case against Colombia at the ICJ to determine jurisdiction over the islands of San Andres, Providencia, and Santa Catalina, and some of the surrounding maritime features and fishing cays. Since the relationship between Nicaragua and Colombia was increasingly tense, procedures for crossing borders were also tightened. Colombian and Nicaraguan nationals were then required to have a visa to enter the other country, and people had to travel long distances to the nearest consulate to apply for one. Although the visa obligation was later removed for the Creoles traveling across borders, people felt their rights had become neglected. As Celeste expresses, "this was not about granting us rights we should be grateful for, because as indigenous and autonomous people with relatives on the other side of the border, such restrictions should not be imposed in the first place."

> The governments like to announce they do not have issues about us crossing the borders, but in practice, we have a lot of problems. The face they show is the one of diplomacy [...] but the people are not isolated from the territorial conflict. The political relations between states weigh more than the relations between peoples. (David, Bluefields)

Two rulings have been issued to solve the territorial dispute (ICJ, 2012 & ICJ, 2022). The maritime boundary changed, expanding the Nicaraguan territorial sea ≈75,000 Km². But while the states are unwilling to reach any agreement, Creole livelihoods and wellbeing are threatened by the impediments to seeing friends and families, ongoing environmental degradation, scarcity of fishing resources, and harsher border controls (Garcia Ch, 2022).

4. More-than-coping: Restoring the Creole Sea Interconnectedness

> How can we restore our connections? if we have a border dividing our ancestral territory? if no one listens to the arguments of the Creole people living amid the nation's conflict? Let's start demanding and fighting for the minimum and the vital: the free movement of our people and our food, the shared management of our resources. (Celeste, Bluefields)

4.1. Social mobility and food supply

"I see that navigating between the islands would be the only way to keep our connections alive and secure our future," remarks a well-known old captain who frequently sailed these waters back in the days when, in his words, this was a lively and unbound marine space where artisanal fishers and Creole-skippered boats would meet. But very few ships currently traverse the boundary area. According to sailings and departures records from the Colombian Port Authority, only 50 boat trips have been made between San Andres-Corn Island in the last 12 years (2010-2022) with an average of four times a year, and often by the same five-to-seven boats. One of these ships belongs to Richard, who currently sails this route four to five times per year. Richard was born in San Andres but has lived in Corn Island since he was a baby, when the *cayuco* (a dugout canoe) in which he was travelling with his parents stranded there. While his parents decided to settle in Corn Islands, most of Richard's relatives still reside in San Andres. Now that industrial fishing is his way of living, Richard has traveled regularly to San Andres since 2013, when he started selling fish to a seafood retailer who buys him between 18,000 and 40,000 pounds of fish per trip. But Richard's cargo is not exclusively fish to be resold. The ship also carries avocado, coconut, mango, white cheese, bags with fish to be picked up for household consumption, and remittances. Furthermore, some of his crew members are Corn Islanders' passengers who embarked as such to be able to visit friends and relatives in San Andres. Currently, Richard is the only one making such trips. Bringing food, parcels and passengers has made him the bonding person between San Andres and Corn Island. And although he has been asked to travel frequently, he depends on the retailer, who pays for the trips. Otherwise, his boats are out fishing lobster on the Northern banks.

One of my field trips to San Andres coincided with Richard's scheduled bringing fish. I had met him in Corn Island and knew his journeys to the Colombian islands were infrequent, so I would try to join his *crew* to cross the sea border and sail back to Corn Island in a 13-hour journey. Not a lot of paperwork: my passport, Richard's green light to sign me up as one of the fifteen crew members of the *Moonlight*, and the port agent's approval. This permission had to be obtained quickly, since Richard's departure would take place within three days.

Upon his arrival, I went to the San Andres main harbor to arrange my trip. Outside the guarded gate, more than twenty persons, mostly older Creole women, had been waiting hours for the same ship. Most are eager to collect the parcels sent from relatives in Corn Island. Tension and excitement. The last time the ship had come to San Andres, the Colombian port authorities seized the cargo after turtle meat was found in some boxes and the ship was retained along with the crew and the parcels. "When all was released -said the woman next to me-, the greens and fish my family had sent were wasted [...] we hope it won't happen again."

A few hours later, a white and green fishing boat carrying the Nicaraguan and Colombian flags on her mast approached the dock. When she finally arrived at the pier, we got orders to remain far from the ship and her crew. "Leave now," a man in uniform said. "After the mandatory checking finishes, the ship will be anchored in the bay, just 20 meters away from here and closer to the beach. There, you can do whatever you want!" But no one left. The women claimed the things the captain brought for them must be allowed to leave the boat. They insisted on meeting Richard to secure their parcels. But not even the crew was allowed to disembark with their personal belongings. Two women suddenly took my hands and we all hid behind a truck. Out of sight they thought it might be easier to get their belongings. "It's only fruits and fish, but we cannot risk losing them and here they [the custom inspectors] will take away everything he [the captain] did not register [at the Nicaraguan customs], and this includes our stuff. But why would I have to pay for the food my son is sending me? [...] He [the captain] is helping people, but you can see the government doesn't want that." Richard explains:

> People ask me to bring two pieces of yellow tail [fish], one piece of white cheese, avocado, *maduro* [plantain], greens. How can I refuse? I bring everything people don't have here but need a lot [...] I am not trading because I don't make money with this [...] This is also my people, my family, it's a favor I do and it is not a big thing for me [...] I know sometimes it's too much (like 25 boxes or more) but that is because there are too many families in both islands. We don't do anything wrong, we take and bring people and their things. This time I only have 7 boxes with me, I left a lot in Corn Island because they said everything will be taken, and still, if I register those things they will charge me, here or there [Nicaragua or Colombia], and the people sending

> all this are poor [...] but now they make us think this network, this exchange among us is not legal [...] I think I'm the only ship that comes to San Andrés, no one else wants to because the authorities cause a lot of trouble [...] I will manage to hand over everything, but we give and people receive with fear; why? (Richard, San Andres Island)

In the meantime, more people outside the deck facilities were asking to meet the captain about the arrival of the ship *Moonlight*. We could not remain hidden any longer, and a guard escorted us to the gate after a third warning. The women left without their parcels and were asked to come back after 17.00 when the ship would be moored off the municipal pier. That would also be the chance to arrange my trip with the captain.

It was almost sunset when I returned. No old women this time. Instead, groups of young people on motorbikes were waiting. The few boxes have been offloaded from the ship in two rowing boats. Bags and small packages were handed out. Four more *passengers* waiting with me ask the captain whether we could embark for Corn Island as his crew. Rick explains:

> I'm so looking forward to seeing all my family. Have been 20 years away, and since I told them I'm getting there, everyone is super happy. They are counting the days, asking if everything is ready. They tell me that we are going to fish and hang out. They might invite me to live there. I go blindfolded because I don't know them but they are my family, which makes me feel confident [...] I'm going to cry a lot of the joy of seeing them. I'm bringing *pigtail* [pork tail], yellow cheese, and *waari* [wild pig]. I already spoke with Elvis, and with the ship's man. Everything is ready, and it's easy because they are Raizal [Creole] too, so they help me cross without any problem or paperwork. (Rick, San Andres Island)

Before setting sail for Corn Island, Richard bought clothes, food and other special requests from their family and friends back home. The captain also collected the parcels to be sent to Corn Island and made arrangements for those crossing the sea border in his fishing boat. This extra work gave him the joy and the burden of being helpful but also illustrated an urgent issue affecting the Creole relationships. His perspective differed from the border authorities, who reflected on such crossing borders as follows:

> Never in the years [8 or 9] have I heard of people wanting to visit Nicaragua, visit their families, or ask to bring things. Only sailing boats do this because they are private, tourists traveling through the Caribbean, or some industrial fishing moving between the fishing cays, that is all. But the people here do not have the need to go, and still, it would be very difficult to do since the border is very controlled [...] (Lieutenant Smith)

> Are you sure San Andrés and Corn Island are so close? I just cannot believe it! [...] As far as I know, no commercial or travel agreements have been thought of. The relationships remain at the State-State, Institution-Institution level, but never population-population [...] (Cap. Bravo).

The mismatch between the stakeholders' insights and the views expressed by border authorities illustrates the need to bring together these opposite narratives into the policy-making arena in order to address the longstanding justice concerns impinging upon Creole ancestral tenure and indigenous rights over land and sea spaces.

4.2. Mobilizing the indigenous Creole rights over the marine area

While sea captains believe opening the sea route is the way to achieve mobility justice, Creole activists request the intervention of international courts and state bodies to acknowledge their rights as indigenous people over an ancestral marine area. Community leaders argue that drawing maritime boundaries and governing border areas cannot be done without considering the rights, needs and will of the indigenous populations within these territories. From this perspective, the mobility restrictions resulting from the long-term state-crafted territorial politics have neglected the historical relations between the brotherly black peoples of the Caribbean. The Nicaragua v. Colombia judgment (ICJ, 2012) is considered a ruling that ignored their historical trade relations and kinship, favoring marine territorialization and states' sovereignty. Since then, Creole leaders on both sides of the border have asked why the maritime delimitation procedures stated by international regimes did not consider the existing Human Rights instruments, particularly the Indigenous and Tribal Peoples Convention, 1989 (169) and the UN International Decade for People of African Descent (2015-2024).

> They [the Colombian and Nicaraguan governments] do not believe that we, the blacks, have rights. They say we are not autochthonous, that we are not from here, that we are Afro-descendants, and the blacks do not need that much. Our claim to our historical heritage has not been heard because it seems too much to them, so we need to remind them we were here before this was called a state [...]. They now consider us the enemy and have removed us from the processes, from the commissions, putting white people to represent the blacks [....] it looks like we will be exterminated, and they will do it to carry out their geopolitical and economic project. And that's why we need to file claims before the Inter-American Court of Human Rights because this is about our survival and fundamental human rights. The Caribbean basin is a single territory [...] why

> do the governments tell us we are not free to go by boat to San Andres? After all, our relationships do not affect the sovereignty of the states. (Celeste, Bluefields)

Lawsuits and political mobilization have been at the core of Creole activism to achieve customary rights over their land and sea. In Nicaragua, the autonomy law for the Atlantic Coast Regions (Law 28-1987) became the main instrument recognizing the historical rights of the more than 16.000 English-speaking Creoles living in the Autonomous Region of the South Caribbean Coast (RACCS). However, according to the Creole leaders, the Autonomy Law has not delivered as expected.

> Policy-makers did not attend our petitions of including an article to re-establish kinship and commercial relations with our Creole neighbors in the Caribbean, including Jamaica, Grand Cayman, Belize and Colombia...even though that was the spirit of the law. (Freddy, Corn Island)

Subsequently, the Creole leaders in Nicaragua filed a claim at the Inter-American Court of Human Rights in 1994 following their longstanding struggles for the Nicaraguan government to recognize the Creole titling of communal lands. This finally resulted in the Nicaraguan Law 445, approved in 2003. The Law states the inalienable rights of Ethnic Communities of the North and South Autonomous Regions of the Atlantic Coast of Nicaragua (known as RACCS and RACCN) over their territories in the Nicaraguan Caribbean, including Bluefields and the Corn Islands.

> We make these claims in the hope that, as original peoples under the ILO169 Convention, we could regain the right to preserve our territory, social fabric, resources, and marine environment. We must strengthen the historical ties between the peoples of what was the old Mosquitia, including the connections with our brothers and sisters of the maritime Caribbean and Central America [...] We need to be allowed to explore the Caribbean market for our food security. (Celeste, Bluefields)

Similarly, petitions have been made by the Creoles in San Andres, Providencia, and Santa Catalina Islands. While discomfort with the Colombian government has been increasing and institutional spaces are dominated by mainland representatives with less Creole representation, their mobilization has strengthened their cultural roots as Afro-Caribbean autochthonous ethnic communities. The Colombian Creole requests are based on the 1991 Colombian Constitution and the recognition of indigenous people by the ILO-169 Convention (1989). In 2014, the San Andres Archipelago Movement for Ethnic Native Self-Determination (AMEN-SD) negotiated an informal agreement with the local Creole representatives in the Corn Islands. Article 1 of this agreement sustains

the "long-lasting relations and the traditional sustainable use of maritime resources." It also references the rights of Creole people's free transit across borders and pursues economic, cultural, and academic exchange between Nicaraguan and Colombian islands. More recently, in the context of the Nicaragua v Colombia territorial dispute, a Creole representative from the San Andres Archipelago was heard at the ICJ, asking the judges to consider the safeguarding of the Creole Afro-indigenous traditional fishing rights, their sea tenure over the marine area, as wells as the traditions and livelihoods linked to their *maritory*, a concept that refers to the sea mobility constraints experienced by indigenous people within geopolitical and spatial borders (Barrena et al., 2022).

4.3. Revitalizing Afro-Indigenous sea spatialities through the Great Caribbean Networks

In past decades, the Creole Afro-indigenous communities have faced a number of challenges stemming from, among others, climate change (hurricanes, sea level rise), enduring drug and human trafficking along the Caribbean Sea routes, and the long-lasting territorial conflict. So as to better confront some of these issues, Creole leaders in the region have persisted in preserving and revitalizing their Great Caribbean connections beyond existing sea borders and spatial demarcations. By actively stressing the existence of such connections and striving to keep them alive, the kinship and friendship network extends among the native English-speaking communities living in Panama, Costa Rica, Honduras, and the Cayman Islands, as well as those who have migrated to North America and beyond. As remarked by many Creoles, this black Creole Caribbean diaspora, based on the enduring historical and cultural ties has proven to be a suitable cooperation resource for their wellbeing in trying times.

> During the war [Sandinista Revolution (Nicaragua 1979-1990)], many things were difficult to find. We lacked milk, grains, hygiene items […], so we would exchange lobster and fish and Creole from the sister town of San Andres would bring us food. At that time, many people also left for Providencia and San Andres settled there, and felt at home, some more to the Cayman Islands or Colon [Panama]. We thus have families all over and still care for each other. Our current agreements formalize the existing cooperation [because] we believe local trade through the Caribbean should continue to occur. We also give fuel and provisions to their [San Andres Creole] boats when they come here. What we want is to preserve and cultivate the already existing friendship and family bonds along the Caribbean […] we have the political will to do so. (Finn, Corn Island)

The Creole solidarity connection has recently been demonstrated to be effective in realizing food and relief among the islands. In 2018, when many civilians called for Nicaraguan President Ortega to resign, almost three months of protest and blockades led to a shortage of medicines, food, and supplies in many parts of the country, including the Corn Islands. Creoles in Honduras, San Andres and Grand Cayman then collected provisions and shipped them to Corn Island for distribution. Another crisis came in November 2020 in the aftermath of Hurricane Iota in the Providencia and Santa Catalina islands. The category five tornado made landfall, destroying homes and infrastructure, forests, reefs, beaches, and mangroves in the region. Since the post-disaster management put in place by the Colombian government was defective, the islands' food and nutrition security were at risk. The marine network was thus active in sending essential supplies and construction materials from the Corn Islands and Grand Cayman, enabling the Creole inhabitants to build shelters and start their homes reconstruction. Lastly, in the context of the Covid-19 pandemic, Mr. Fito shared another cooperation example based on the Creole relationships.

> I came [from Corn Island] to San Andres in 1979 when I was 33 years old and have already been here for 42 years. I did not return for twenty years or more. But I went back during the [Covid-19] pandemic when the borders were closed and I could not disembark in San Andres [...], so I asked to set sail to Corn Island. I knew from my friends that things were easier there. So I arrived on March 22 and stayed for nine months. I lived at my friend's place and even worked for a car rental because the owner is also a good friend. We are like brothers despite not seeing each other often, but we helped each other during the pandemic. (Fito, Providencia Island)

The Creole diaspora has been seen as a resource to deal locally with some of the growing threats that the population of this group of islands in the Western Caribbean is facing: political upheavals, climate change-driven disasters, and a global pandemic are among them. The network, considered the foundation of their social fabric, will further help "to guarantee the human rights of our people, the protection of the marine environment, fostering the former autonomous food security, achieving peace, and seeking the implementation of climate change mitigation protocols and the sustainable development according to the context of our ethnic territory, and in line with the local knowledge. This will be done by denouncing and mobilizing" (Edgar, Providencia Island).

5. Discussion: Maritime Borders and Indigenous Sea Mobilities

The constraints in sea mobility experienced by Creole Afro-Indigenous communities in the Corn Islands and the San Andres Archipelago in the Western Caribbean reveal how ocean boundary governance and the

geopolitics of international border regimes and oceans territoriality have reshaped the Afro-Indigenous sea spatialities and impacted their everyday lives. Against this backdrop, the various resistance methods by which the Creole Afro-Indigenous sea sovereignties contest (im-)mobilities suggest a decolonial approach to marine governance. In this regard, the contributions of this paper are twofold.

Firstly, it addresses the continuous and longstanding implications of international regimes and states' territoriality to the mobility of indigenous people across maritime spaces. As presented, the Nicaraguan and Colombian state-centric territorialities ruling the maritime border area have privileged economic and geopolitical interests over the Afro-indigenous people rights. Historically, the mobility entanglements in the marine area have been driven by the nation-state bordering processes that enforce political, economic, environmental, and spatial control in the Westphalian model of a well-defined enclosed territory. This follows the international regimes logic of states' sovereign practices within their EEZs, which is done, among others, through i) the expansion of military presence to secure and control the marine area; ii) the intensification of marine resources exploitation; and iii) the enforcement of stricter regulations to limit cross-border movements of goods and people. Moreover, in the context of the territorial dispute (Nicaragua v. Colombia), states' sovereignty and jurisdiction have been promoted in the absence of agreements between the states concerned, resulting in strict border control. The many testimonies of elders, leaders, female activists, and members of the Creole Afro-Indigenous communities living in the Corn islands and San Andres illustrate how they have experienced, and continue to struggle with, the everyday constraints of border regimes and states' territoriality over time. Kinship relations, shared fishing practices, religious connections, and commercial ties have been thus at the crossroad between mainland nationalistic politics of territorialization and the geopolitical conflict over the southwestern insular territories.

Secondly, the paper sheds light on decolonial approaches to marine governance in the Great Caribbean. The role of Creole Afro-Indigenous legalities in restoring the sea interconnectedness unveils a different and arguably more just and equitable pathway to social and geopolitical governance. The solid ties between the Creole islands communities have resulted in strategies to re-center indigenous spatialities and reestablish cross-border sea mobilities. Against longstanding territorialization politics restraining the movement of people and goods, Creole indigenous mobility activism strives to achieve ocean justice. Claims to restore sea connections are based on their rights as indigenous/black communities in relation to livelihoods, cultural relations to the ocean space, mutual economic interdependence, and food sovereignty. The various social, legal, and diasporic tools to challenge state sovereignty and govern their ancestral maritime spaces go beyond the actual re-establishment of the traditional sea route between the Corn Islands and the San Andres Archipelago to include

the Great Caribbean Afro-Indigenous territories. As Creole activists narrate, the process of voicing and mobilizing their rights seeks to overcome the hierarchies of race towards the recognition of the land and indigenous sea tenures regardless of state boundaries, while reviving their network beyond territorial control.

The full potential of such alternative legalities goes unrecognized by ocean governance regimes despite their promising role to inform marine governance policies. While research has shown the benefits and challenges of local communities' activism to advance ocean justice by asserting customary rights as a resistance strategy (Bennett et al., 2023; Blythe et al., 2023), the studies of Arieli (2012) and Song (2021) suggest that cross-border synergies and their involvement in border-crossing management contribute to regional prosperity and stability, diffusing "political tension and [catalyzing] a cooperative framework towards the resolution of maritime disputes" (Song, 2021, p. 10). As this author points out, while state-state agreements can take several years to be implemented, bottom-up local agreements among stakeholders usually include short-term and common activities in the line of communities' shared needs, which supersede sovereignty issues.

In this regard, Sheller's (2022) contributions become particularly relevant in highlighting how the black/indigenous relational movements across space are embedded in the many practices and shared Creole knowledges of the marine space. The cultural relations with the ocean and the solidarity ties, cooperation, mutual care, and support among the Creole population living in the Great Caribbean territories of Jamaica, Costa Rica, Panama, Honduras and the Cayman Islands might, in her view, transform the legalities over the seascape, enhancing the governance of the marine area towards equity and justice. From this perspective, the indigenous (sea) ontologies drive a mobile commoning process crucial to restoring the Corn Islands and San Andres Archipelago sea interconnectedness, which also suggests "the more radical unsettling of borders in a world marked by climate disasters and displacement, especially of Indigenous, Black and Brown people" (Sheller, 2022, p. 41). Moreover, these grassroots sea mobility initiatives and the political mobilization of its social network contribute to endorsing Creole Afro-Indigenous people's rights, enhancing communities' wellbeing and boosting their autonomy. This is expected to assist in i) reducing and better dealing with mounting geopolitical conflicts, and ii) fostering cooperation strategies along the Greater Caribbean to advance broader needs like food sovereignty, disaster risk reduction and disaster recovery.

6. Conclusion

This paper, situated in the islands realm, at the intersection of border research and ocean mobility studies, addresses the long-standing condition of indigenous sea (im-)mobilities driven by state-crafted politics around territoriality and exacerbated by the international legal regimes that have reshaped marine space. The historical connections between the Great Caribbean Sea islands and coastal territories have been highlighted to point

out the social and kinship networks existing between the Corn Islands and the San Andres and Providencia archipelago, inhabited by Creole Afro-Indigenous communities. Claims and divisions of the sea region started with the European colonial powers and intensified with the rise of mainland nation states that triggered marine space fragmentations and impacted peoples' connections. Nowadays, the Creole communities continue to struggle with state-driven sea (im-)mobilities that have disrupted family and social connections, undermined autonomy, and impeded the flow of food and provisions between the islands. Simultaneously, these communities strive to maintain their relationships in the face of territorial disputes and territorialization politics around security, drug-trafficking controls, trade monopolies, and the exploitation of marine resources.

With the use of ethnographic methods and through the lens of critical ocean legal geographies, the paper highlights such struggles but also the prominent role of Afro-Indigenous maritime activism and Creole women engagement in advocating ocean justice. Particularly throughout Celeste's narrative, Black Creole indigenous legalities are stressed in regard to their marine tenure, sea indigenous spatialities and sea mobility rights. Hence, the Creole's methods of resistance sketched in this paper demonstrate the possibilities to shape policies and laws that will acknowledge the rights of the Creole people over their ancestral maritime spaces. On the one hand, they are turning to the courts to compel states to ensure the mainland's territorial politics and economic-driven interests do not interfere with their wellbeing. On the other hand, Creole marine networks are a source of transformation to reestablish sea interconnectedness in the Great Caribbean, amplifying the impacts of good practices to better cope with some of the most pressing issues currently threatening island livelihoods in the marine region. By joining the decolonial approach to ocean governance and the role played by Black and Indigenous sovereignties within it (Braverman, 2022a; Ranganathan, 2021; Satizábal & Batterbury, 2018), the paper envisions other plausible futures not only for the Greater Caribbean Black and Indigenous people but for other marine regions in which the historical and cultural sea connectiveness, crucial to the coastal people wellbeing, might emerge beyond geopolitical divisions and mainland driven policies.

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