

Mining and Amerindians in Guyana

**Exploring Indigenous Perspective on Consultation and Engagement
within the Mining Sector in Latin America and the Caribbean**

Executive Summary

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The rapid expansion of mining is a central element in the Government of Guyana's national development strategy, strongly encouraged by international development agencies such as IMF and World Bank. Plans include the privatization and expansion of bauxite mining and the development of small, medium and large-scale diamond and gold mines. Serious impacts are already being felt by the Amerindians as a consequence. This report results from a participatory study carried out to assess these impacts and develop proposals for more effective Amerindian engagement with the mining sector.

This study has been carried out by the Amerindian Peoples Association, with the assistance of the Forest Peoples Programme, as part of a project titled '*Exploring Indigenous Perspectives on Consultation and Engagement Within the Mining Sector in Latin America and the Caribbean*' being coordinated by the North-South Institute of Canada. The consultation process comprised two national workshops of a National Indigenous Advisory Committee, four regional consultations in Amerindian communities, a field visit to mine sites in the Matthew's Ridge region, interviews with key stakeholder groups and Government officials, and a literature review.

Amerindians in Guyana number around 60,000 and make up some 7 per cent of the population. However, because 90 per cent of Guyanese live along the narrow coastal strip, Amerindians make up the majority population in the interior. Only about half of these Amerindians live in communities that are officially recognized as Amerindian. As many as 12,000 persons, many of them Amerindians, are directly engaged in mining in the interior. Some 14,500 small-scale mining permits and 1,800 licences for dredges have been issued by the Guyana Geology and Mines Commission (GGMC). Exploration and prospecting permits for possible large-scale mines now cover as much as 25 per cent of the surface area of the country. Brazilian miners and syndicates are now centrally involved in small, medium and large-scale mining ventures. There is much illegal traffic across the frontier

Institutional controls on mining are weak. The Minister of Mining, the Prime Minister, lacks any ministerial staff charged with policy development. The GGMC is also acknowledged as lacking adequate capacity to enforce regulations in the interior. Allegations of corruption in the GGMC are widespread. The new Environment Protection Agency has yet to enact regulations regarding mining and there is no Minister for the Environment to represent environmental issues effectively in the Cabinet. The CIDA-funded GENCAPD project aims to develop the environmental capacity of the GGMC but is not directly addressing Amerindian concerns. Amerindian participation in the project is also deficient.

Amerindians have been demanding rights to their lands since before independence and their rights are guaranteed in the Independence Agreement. An Amerindian Lands Commission reported in 1969 that Amerindians laid claim to 43,000 square miles of land and recommended the titling of 24,000 square miles. To date

Amerindians have only received titles to some 6,000 square miles and the titles themselves are deficient in a number of crucial respects. The Task Force on Amerindian Lands, set up by the government in the 1990s, has been repudiated by many Amerindians as not responding to their needs and demands. It is not participatory and has prioritized surveying the existing, limited titles instead of addressing outstanding claims. Amerindians are having great difficulty getting their complaints about land attended to in the courts.

Amerindians are offered some protection from mining in the law. Small-scale mining is prohibited in areas used by Amerindians but the GGMC interprets this provision in a very limited way, as only applying to titled areas. Medium-scale mining is also not permitted in titled areas but titles under the Amerindian Act do not include rivers and river banks. After protests by Amerindians, the Government adopted a policy requiring large-scale companies to consult with Amerindians when prospecting on Amerindian titled lands. However the GGMC is not overseeing these negotiations, as required in the contracts. There is widespread opposition among Amerindians to large-scale mining.

Historically, Amerindians have had highly decentralized decision-making systems. The colonially imposed system of having village Captains, with the powers of a Rural Constable, and Village Councils has now been accepted by the Amerindians. Land titles are vested in the Councils. These institutions offer Amerindians an important degree of self-governance and regional associations of Captains and Councillors have emerged, linked to a strong national Amerindian movement. However, although legal checks and balances exist to limit the powers of Captains and make them accountable, these are not adequately observed and mining companies have been able to reach agreements with Captains without the involvement of community or Council. There is a widespread perception that the Government does not respect Captains and Councils and manipulates community decision-making to facilitate mining.

The Government has done little to assess the impact of mining on Amerindians but many prior academic and NGO studies substantiate the main findings of this study. Amerindians indeed suffer severely from mining in terms of river- and drinking-water pollution, decline of fishing, and the destruction of game. Mercury contamination is a serious and widespread problem. There is a high incidence of STDs and malaria – a major cause of death among Amerindians - in mining areas. Mining is undermining Amerindian ways of life, interfering with their subsistence economies. Cash is being misspent on consumer goods and alcohol, while community members go needy.

There are especially severe impacts on Amerindian women. The prostitution of Amerindian women is rife in mining camps and nearby settlements and rapes are widely reported. The police are accused of negligence and accepting bribes in dealing with these abuses. Racist prejudices aggravate these problems. Disaffection among Amerindian youths results, leading to Amerindians depreciating and thus forfeiting their own cultural heritage. There is a pressing need for alternative income-generation opportunities.

A new policy is needed on Amerindians and mining which should be developed through a process of national dialogue. Amerindian rights should be respected in line with Guyana's obligations under international law. Land tenure must be regularized and land claims resolved. Mining should only go ahead in areas traditionally used or otherwise occupied by Amerindians subject to their free, prior and informed consent expressed through their own representative institutions. This will require strengthening Amerindian institutions and an overhaul of the relevant government institutions and laws, including retraining and strengthening the GGMC, Environment Protection Agency and Ministry of Amerindian Affairs. A protocol needs to be adopted by the private sector committing it to respect Amerindian rights. NGOs and development agencies should work with the Amerindians and the Government to bring about these reforms in a way acceptable to Amerindians.