Is There Gold In All That Glitters?
Indigenous Peoples and Mining in Suriname

Prepared for a project funded by the Inter-American Development Bank’s Canadian Technical Assistance Program (CANTAP) funding

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The North-South Institute

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# Abbreviations and acronyms

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<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>ADS</td>
<td>Adjunct District Secretary (Adjunct District Secretary)</td>
</tr>
<tr>
<td>BHPB</td>
<td>Broken Hill Proprietary &amp; Billiton Corporation</td>
</tr>
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<td>BMS</td>
<td>NV BHP Billiton Maatschappij Suriname</td>
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<tr>
<td>CBD</td>
<td>Convention on Biological Diversity</td>
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<tr>
<td>CERD</td>
<td>UN Convention on the Elimination of all forms of Racial Discrimination</td>
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<td>CIDA</td>
<td>Canadian International Development Agency</td>
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<td>CLIM</td>
<td>Committee on Land Rights Marowijne</td>
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<tr>
<td>CSR</td>
<td>Corporate Social Responsibility</td>
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<tr>
<td>DC</td>
<td>District Commissioner</td>
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<td>ESIA</td>
<td>Environmental and Social Impact Assessment</td>
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<td>FFP</td>
<td>Forest Peoples Programme</td>
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<td>FPIC</td>
<td>Free Prior Informed Consent</td>
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<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>GMD</td>
<td>Geologische Mijnbouwkundige Dienst (Geological mining department)</td>
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<td>Ha</td>
<td>Hectares</td>
</tr>
<tr>
<td>IACHR</td>
<td>Inter-American Court on Human Rights</td>
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<td>ICMM</td>
<td>International Council on Mining &amp; Metals</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<td>IDB</td>
<td>Inter-American Development Bank</td>
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<tr>
<td>IDRC</td>
<td>International Development Research Centre of Canada</td>
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<tr>
<td>IFC</td>
<td>International Finance Corporation</td>
</tr>
<tr>
<td>IIRSA</td>
<td>Regional Infrastructure Integration in South America/Integración de la Infraestructura Regional en Sur América</td>
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<tr>
<td>IUCN</td>
<td>International Union for the Conservation of Nature</td>
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<tr>
<td>Km</td>
<td>kilometres</td>
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<tr>
<td>MARPOL</td>
<td>International Convention for the Prevention of Pollution from Ships</td>
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<td>MNR</td>
<td>Ministry of Natural Resources</td>
</tr>
<tr>
<td>MOU</td>
<td>Memorandum of Understanding</td>
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<tr>
<td>NGOs</td>
<td>Non-governmental organizations</td>
</tr>
<tr>
<td>NIMOS</td>
<td>Nationaal Instituut voor Milieu en Ontwikkeling in Suriname (National Institute for Environment and Development in Suriname)</td>
</tr>
<tr>
<td>NMR</td>
<td>Nationale Milieu Raad (National Council for the Environment)</td>
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<td>NSI</td>
<td>The North-South Institute, Canada</td>
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<td>OP</td>
<td>Operational Policy</td>
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<tr>
<td>PCLR</td>
<td>Presidential Committee on Land Rights</td>
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<tr>
<td>POS</td>
<td>SRK's Aug '05 'Plan of Study' for the Bakhuys ESA</td>
</tr>
<tr>
<td>RR</td>
<td>Ressort Raad (Ressort Advisor)</td>
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<tr>
<td>SRK</td>
<td>SRK Consulting</td>
</tr>
<tr>
<td>Suralco</td>
<td>Suriname Aluminum Company LLC</td>
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<tr>
<td>USD</td>
<td>United States Dollars</td>
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<tr>
<td>VIDS</td>
<td>Vereniging van Inheemse Dorpshoofden in Suriname (Association of Indigenous Village Leaders in Suriname)</td>
</tr>
<tr>
<td>WWF</td>
<td>World Wildlife Fund</td>
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</table>
Acknowledgements

The research and writing of this paper was undertaken as part of a project funded by the Inter-American Development Bank’s Canadian Technical Assistance Program (CANTAP) funding. I would like to extend a big thank you to Viviane Weitzner, Ann Weston, Carla Madsian, Ellen-Rose Kambel and Robert Goodland for their input. I would also like to thank everyone at the Association for Indigenous Village Leaders in Suriname (VIDS) for their collaboration and hospitality.
Executive summary

The rapid expansion of mining activities on or near ancestral lands in Suriname has brought to the forefront the debate around Indigenous Peoples’ rights to land, to meaningfully participate in consultation processes, and to free prior and informed consent (FPIC). Surinamese law does not recognize or protect Indigenous land rights. As there is increased pressure to extract resources that exist in the interior of Suriname, there is an increased risk that the rights of Indigenous and Maroon Peoples may be violated. This paper argues that it is crucial that the government and Indigenous and Maroon Peoples in Suriname increase their capacity to deal with extractive industries. This requires engaging in long-term planning to ensure that natural resource developments benefit Suriname as a whole. They must recognize Indigenous rights and protect the environment.

The first section of the paper provides background information about Suriname and its Indigenous population. This section also contains a survey of legislation and policies relevant to Indigenous Peoples and mining. Both domestic and international law pertaining to the subject are briefly reviewed. The second part of the paper considers the historical and economic role of mining in Suriname, recognizing that most of the extractive industries are taking place on lands and territories that are traditionally Indigenous or Maroon. The role of Indigenous communities in the decision-making process is examined. The third section of the paper outlines some of the socio-economic, cultural and environmental impacts of mining on Indigenous Peoples.

The increase in mining in Suriname has to be seen in a wider context. The demand and high prices for materials such as bauxite and gold drive exploration and exploitation in Suriname. There has also been a drive to promote more integrated infrastructure, thus easing the trade and transport of goods regionally as well as internationally. The cumulative effects of these trends and initiatives must be assessed in order to gain a clear picture of what they will mean to Indigenous Peoples in Suriname.

The final section provides some concluding comments. The main conclusion is that active and meaningful participation of Indigenous Peoples in decision-making around extractive industries is of key importance to safeguard the rights of Indigenous and Tribal Peoples. The right to FPIC must be respected, and there is an obligation on the government to ensure that regulatory frameworks protect Indigenous Peoples’ rights, as well as the environment. Second, Indigenous and Maroon Peoples disproportionately bear the adverse effects of mining. Suriname has a long history of mining, and historically little benefit has accrued to Indigenous and Maroon communities. It is important to recognize the potential adverse effects of mining and to eliminate or at least mitigate these effects in future developments. In order to effectively manage long-term planning and development while upholding the rights of Indigenous Peoples, it is crucial to consider the impacts of mining. Finally, it is unlikely that the global hunger for natural resources will end any time soon, and in such a context Indigenous communities must continue to be supported and their vision must guide the decision-making process about resource extraction in their territories.
Introduction

Over the past few years, Suriname has experienced an increase in mining activities. There seems to be gold in all that glitters, and rich deposits of gold and bauxite in particular continue to be identified. Resource extraction in Suriname takes place in the interior, the ancestral and current home of Indigenous and Maroon Peoples. Their right to the lands they inhabit and use for survival is not recognized in Surinamese law. In this legislative and policy vacuum, Indigenous and Maroon Peoples continue to assert their rights and struggle for recognition of their right to determine what happens on their lands. Resource extraction, one of the pillars of the Surinamese economy, will continue to be important. As it remains so, there will be increased pressure on the Government of Suriname to ensure that all of the extractive activities are in fact improving both economic and human development without irreversibly damaging the environment. Currently, legislation governing mining, environment and human rights is lacking, as is the enforcement of regulations that do exist (see below).

This paper synthesizes key issues related to Indigenous Peoples and mining in Suriname, with a focus on rights to participate in decision-making. It complements a work program established by the Association of Indigenous Village Leaders in Suriname (VIDS) and the North-South Institute (NSI). The paper also examines Canadian interests in Suriname as a means to help inform debate in Canada and provide substance for consideration by the Canadian International Development Agency (CIDA) which funded this project.

The methodology used is a combination of an extensive literature review, with a special focus on English-language sources, and interviews with organizations, industry, government officials and donors. Newspaper articles also provide an important source capturing current debates around mining in Suriname.
1. Setting the scene: a brief overview of the actors, history, country information and politics

1.1 Background information about Suriname

Suriname is a small, former Dutch colony located on the north-eastern coast of South America. It covers an area of 164,000 square kilometers and is bordered by Guyana to the west, French Guyana to the east and Brazil to the South. While the majority of its 481,146 inhabitants live on the coastal plains in the North and the capital Paramaribo, the majority of Indigenous Peoples and Maroons live in and depend on the forests for their livelihoods.

Suriname became independent from Dutch rule in 1975, maintaining strong links with the Netherlands, through an Independence Agreement which promised substantial development assistance. Since independence, two military coups (1980-97 and 1990-91), a brutal dictatorship and years of armed conflict (1986-1992) halted economic development and caused political instability. Dutch aid was suspended twice during these years of instability, war, widespread corruption and mismanagement. The political instability alongside a sharp decrease in the price of bauxite caused poor economic performance and macro-economic instability. The relationship with the Dutch and the European Commission was restored in 1991. A new government was elected in May 2005 and President Ronald Venetiaan remains in power today. The complexity of Surinamese politics cannot be underestimated. There are divisions along ethnic lines and in recent history militarization of politics has led to internal war. Although still prone to political stalemates and frictions, there is some measure of political stability. Linked to the improved political stability, the International Monetary Fund (IMF) reported that the exchange rate stability has increased and the financial sector has improved. Moreover, the country is currently benefiting from a boom in global commodity markets and “[g]rowth remains strong, fueled by investment and exports in the gold, bauxite, and oil industries.” While the economy has been on an up-swing, it is still vulnerable to external shocks.

Although economic growth has improved, the country is still poor in terms of GDP. While ranking only 85th out of 177 countries on the 2006/2007 human development index, Suriname is extremely rich in natural resources. The rainforest is rich in endemic species, biodiversity and subsoil resources. The oceans are also rich in resources and oil and gas has been found off-shore. In-land, there are rich deposits of gold, bauxite and potentially other minerals. Bauxite mining dominates the economy. Extraction and processing of bauxite account for 70 percent of income tax revenues. Gold mining is also becoming more important with the opening of the Gross Rosebel mine in 2004. Other significant exports include timber, shrimp, rice, bananas and crude oil. Many of the sub-surface resources are found in the more remote areas of Suriname, frequently on lands occupied and used by Indigenous and Maroon Peoples.

1.2 Indigenous and Maroon Peoples in Suriname

Suriname is home to four Indigenous Peoples; the Kali’na, Lokono, Trio, and Wayana. There are also six Maroon tribes; the Saramaka, Ndyuka/Aukaners, Paramaka, Aluku, Matawai and Kwinti. It has been estimated that there are 47 Indigenous communities and 186 Maroon communities. The 2004 census indicated that 3.7 percent of the population is Indigenous (representing 18,037 persons), and 14.7 percent Maroon (representing 72,553 persons). Indigenous and Maroon communities share their dependence on traditional subsistence activities to sustain their livelihoods. Many community members mix traditional subsistence with other economic activities that can bring cash to their households.

Historically, Indigenous and Maroon Peoples inhabiting the interior have lived without outside interference, and with a degree of implicit protection provided by the government. This
situation, however, is rapidly changing as companies and the government look to the interior for its resource potential. Importantly, Suriname is the only country in the Western hemisphere that does not recognize its Indigenous Peoples’ ownership rights to their ancestral lands and territories. In the light of an increase in mining, and other extractive industries, the lack of recognized land rights is critical. Lack of tenure creates insecurity and the potential for conflict. There is a lack of legislative framework in place to regulate the environmental and social impacts of activities related to extractive industries taking place in the country.14

As noted above, the state claims ownership over all sub-surface resources. Indigenous Peoples’ land rights are not recognized. According to the state, Indigenous People in Suriname can request individual title to land, just like other citizens.15 In 1987 the Constitution of Suriname introduced changes to devolve some administrative powers to a regional level. District Councils (districtsraad) and Ressort Councils (ressortraad) which function at the subdistrict level were introduced to achieve decentralization. There are ten Districts in Suriname, each consisting of several resorts. The Ministry of Regional Development has a District Commissioner, District Secretary and local government co-ordinators in all the districts.

Traditional governance structures are not legally recognized in Suriname.16 However, at the village level, Captains17 represent their communities. The Captains are supported by assistants, or basjas. Traditionally, the Captains take care of local conflicts, issues around hunting and fishing and ensure the welfare of their communities without much interference from the state. While efforts are underway to reconcile traditional leadership with the state structures, a vacuum now exists where Captains might become the de facto leaders, liaisons and spokespeople for their community, but without official recognition of their role. The devolution project is still in its pilot phase, with implementation in 6 out of 10 regions only. In the case of Kabalebo (West Suriname), district Sipaliwini where the proposed Bakhuys Bauxite Mine site is, the villages of Apoera, Section and Washabo each have a Captain. In the mid-90s the government indicated that village leadership had to consist of one Captain and four assistants. In Apoera, Section and Washabo the Captains and the communities decided at a village meeting that there should be two male and two female assistants making up the village leadership.18 Representatives of the District Council are present in Apoera Plan 19 and the Ressort Raad (District Council) meets here. While there is contact between the different leadership structures, there is no effective coordination. There is potential for conflict between the two structures of leadership.

Over the past decades, Indigenous and Maroon Peoples have become increasingly more organized, and there are a number of organizations that represent and lobby for their rights and interests (see chart below). Among the most pressing concerns are the lack of recognition of land rights and the implications this has when it comes to resource extraction on Indigenous lands and territories. A number of strategies have been used in order to address issues of concern, including mapping of land use and territories, forging partnerships with international organizations to help increase pressure and build capacity, recourse to international instruments such as the Inter-American Convention on Human Rights, and submissions to the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD). Another strategy that is being used is direct engagement with multinational companies. For example, Indigenous communities in West Suriname are engaging directly with the mining companies that hold concession rights to an area that overlaps with their ancestral lands.
## Organizations representing Indigenous communities in Suriname

<table>
<thead>
<tr>
<th>Organization</th>
<th>Membership</th>
<th>Activities and purpose</th>
</tr>
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<tbody>
<tr>
<td>Association of Indigenous Village Leaders in Suriname (VIDS)</td>
<td>Indigenous Village Leaders</td>
<td>The VIDS is an association of indigenous village leaders from every indigenous village in Suriname. It was established in 1992 in the aftermath of the internal armed conflict in Suriname. Its goals and objectives are to promote and defend the rights of Indigenous Peoples with an emphasis on land rights, to speak for Indigenous Peoples on the national and international levels and to support sustainable development in Suriname. The VIDS has taken a leading role in promoting indigenous rights, sustainable development and environmental protection in Suriname. It believes that all three are interrelated and all must be supported and monitored. In 2001, the VIDS established Stichting Bureau VIDS as its full-time secretariat.</td>
</tr>
<tr>
<td>Committee for Land Rights of Indigenous Peoples of the Lower-Marowijne (CLIM)</td>
<td>Representatives of 8 Indigenous villages on the Lower Marowijne river.</td>
<td>8 Indigenous villages in the Marowijne district have formed the CLIM to advocate for land rights. Some of their tools include participatory mapping.</td>
</tr>
<tr>
<td>Sanomaro Esa Stichting (Sanomaro Esa Foundation)</td>
<td>Indigenous Women’s organization</td>
<td>Sanomaro Esa was founded by indigenous women in 1989, in response to the economic crisis in Suriname at that time, which affected Indigenous communities the most. The foundation contributes to the planning and implementation of programs aimed at meeting the needs of indigenous women and their children. It facilitates educational programs and stimulates gender awareness and communication between women’s groups. In 1990, the foundation established a resource centre, in cooperation with the Cultural Centre of Suriname.</td>
</tr>
<tr>
<td>Organization for Indigenous People in Suriname (OIS)</td>
<td></td>
<td>OIS was founded in 1992 and its mission is to promote the rights of Indigenous People in Suriname. It promotes the cultural identity of Indigenous Peoples and seeks to encourage the exchange of knowledge among Indigenous communities as well as help provide training and education to communities. Its activities include promotion of training and lobbying.</td>
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</table>
1.3 Legislation and policy relevant to mining

Under Surinamese law, the state is the sole owner of sub-surface resources. Under domestic law there is no onus on the state to consult Indigenous or Maroon communities before concessions are issued or mining activities take place (although draft guidelines have been developed that begin to address this issue, as discussed below). Mining activities are conducted in the national interest, and, Indigenous and Maroon Peoples have no option but to accept mining activities on lands they consider their own.

Mining activities in Suriname are largely regulated by the 1986 Mining Decree and the 1989 State Decree on Mining Installations. The 1986 Mining Decree regulates large- and small-scale mining, and mining for building materials. The legislation covers all phases of mining operations, including reconnaissance, exploration and exploitation of mineral resources. It contains clauses on, among other things, compliance with ecosystem-oriented regulations, reclamation of the mined area and environmental protection in the decommissioning phase; and norms related to the health and safety of workers. Another piece of legislation that deals with the mining sector is the 1989 State Decree, which focuses on mining installation on, or above the sea. The extraction of bauxite is subject to the 1986 Mining Decree, but also special legislation, the Bauxiet mijnwet of 1919, as well as the Brokopondo Agreement.

There are a number of gaps in the current legislation. For example, there are no requirements for environmental and social impact assessments for mining activities. The government is in the process of revising its 1986 Mining Decree and in 2002 a Draft Mining Act was issued. The draft Mining Act will eventually replace the 1986 Mining Act, addressing some of the gaps identified above. It “does oblige large-scale mining companies to conduct an environmental impact assessment and environmental management system.” The draft Act, however, fails to address public safety issues, or occupational health and safety. While these are omissions that must be addressed, the larger flaws to the Draft Mining Act are around process and being discriminatory against Indigenous and Maroon Peoples. In terms of process, the draft was prepared without consultation with Indigenous or Maroon Peoples. Small-scale miners were not consulted either.

In addition to legislation specific to mining activities, environmental legislation is also important to the activities of mining operations. While the government recognized in its multi-year plan for 2000-2005 “protection, conservation, improvement, and rehabilitation of environmental quality as overall policy goals of the country”, environmental legislation remains weak. In order to strengthen it, the government created the National Council for the Environment (NMR) in 1997. The National Institute for Environmental and Development of Suriname (NIMOS) was created in 1998 in order to function as the executive arm of the NMR. International donors, such as the Inter-American Development Bank (IDB) and the European Union provided grants to strengthen the institutional framework of NIMOS specifically and environmental protection more broadly. The work that took place between 1997 and 2003 resulted in a draft Environmental Act. The draft act was comprehensive and addressed “guidelines for environmental protection and planning, pollution control, environmental and social impact assessment, and public participation”. Under the draft Act, NIMOS was given the role of environmental authority. In 2002, the draft was sent to the Ministry of Labour, Environment and Technology (ATM), a relatively new Ministry which supervises the activities of NIMOS. After numerous delays, a commission consisting of bureaucrats from NIMOS, ATM and representatives from the NMR revised the draft act and made some significant changes. The Act was divided into two, the first dealing with institutional arrangements and responsibilities and the second with environmental management.

Under the draft Environmental Management Act, public participation in the environmental impact assessment process has been restricted. Given the context of increased activities by extractive industries in Suriname, this change is regrettable and could potentially contrib-
ute to conflict. Engaging those who will be affected by proposed extractive developments in the process is crucial. Under the second proposed Act, the Institutional Arrangements and Responsibilities Act, NIMOS has been institutionally weakened. Under the original draft, NIMOS would have had the power to issue environmental regulations and impact assessment procedures. In the new draft, NIMOS would merely have the power to propose them for approval by the minister. The process has been delayed and the Acts are still only in draft form. It would mark a step forward if NIMOS and ATM would consider comments received critiquing the proposed Acts, then finalize them and bring them to the National Assembly for approval.

NIMOS developed draft regulations for Environmental and Social Impact Assessments, published in March 2005. The drafts include clauses on public participation procedures, criteria for EIA screening, scoping and review as well as project implementation and monitoring procedures. Indigenous Peoples are mentioned in the checklist NIMOS uses to review environmental assessments and in other places in the guidelines. There are no real references to Suriname’s tribal peoples, the Maroons, and a key question is whether “Indigenous” would also encompass Maroons in the context of the draft guidelines. In practice, these guidelines –and the best practices they contain– lack legal backing, and are not enforced. They were also developed without consulting Indigenous or Tribal Peoples.

Current environmental legislation is for the most part outdated and includes the Hindrance Act, dealing with Industrial Pollution Control and the Nature Conservation Act (1954) covering such areas as wildlife protection and the establishment and management of protected areas. As long as proposed legislation is caught in a political stalemate and red tape, the situation remains urgent and critical. In this situation, drawing on international law might go some way to addressing these urgent issues. The next section provides a brief overview of Suriname’s international commitments and assesses how these obligations can lend protection to Indigenous and Tribal Peoples as their lands are being threatened with ever increasing resource extraction.

**1.4 Obligations under international law**

Suriname is party to a number of international agreements and treaties that in some instances allow more protection for Indigenous and Tribal Peoples than do national laws. The Surinamese Constitution holds that international instruments to which Suriname is a signatory are automatically incorporated into national law. There is therefore an onus on the government to respect and implement provisions under international instruments such as, among others, the American Convention on Human Rights, the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD), the UN Convention on Biological Diversity (CBD), the UN Convention on Civil and Political Rights and most recently, the UN Declaration on the Rights of Indigenous Peoples. While the implementation of international instruments to which Suriname is party has been spotty, they offer an important recourse for Indigenous and Maroon Peoples asserting their rights.

For example, in June 2005, the Inter-American Court of Human Rights found Suriname to be in violation of the American Convention on Human Rights in the case Moiwana Village v. Suriname. Suriname violated Article 5 (1) which enshrines the right to humane treatment, Article 22 which guarantees the right to freedom of movement and residency, Article 21 ensuring the right to property and Articles 8(1) and 25 which deal with the right to judicial guarantees and protection. Members of Moiwana, a Maroon community in East-Suriname, were killed during the Interior War. The findings of the Court ordered compensation, but also went further to order Suriname to adopt measures required to “ensure the property rights of the members of the Moiwana community in relation to the traditional territories from which they were expelled [...]”. The Court further ordered Suriname to “refrain from actions– either of State agents or third parties acting with State acquiescence or tolerance –that would affect the existence, value,
use or enjoyment of the property.” As Ellen-Rose Kambel points out, the government has granted a number of concessions (bauxite extraction, logging and oil palm plantations) that overlap with the area covered by the Court order.

In 2000, the Saramaka Maroon People submitted a petition to the Inter-American Commission on Human Rights. The Saramaka “complained that Suriname had failed to legally recognize their territorial rights and that these rights were being actively violated by logging and mining concessions issued by the government.” The Court found Suriname in violation of Articles 21 (Right to property), 8, 25 and 1 (these articles deal with the right to judicial guarantees and protection). As Suriname failed to comply with the recommendations of the Court, the case was submitted to the Court for binding judgment in June 2006. Additionally, the Kaliña and the Lokono Peoples of the lower Marowijne River region are also in the process of seeking the assistance of the Commission to secure their ownership over their traditional lands and territories and reverse some of the violations of rights that have been caused by extractive industries.

Indigenous and Maroon Peoples have also made a submission to the CERD concerning the protection of their rights. On August 18, 2006, CERD followed up on its previous recommendations (2004 and 2005) by “reiterat[ing] its deep concern about information alleging that the State party has authorized additional resource exploitation and associated infrastructure projects that pose substantial threats of irreparable harm to indigenous and tribal peoples, without any formal notification to the affected communities and without seeking their prior or informed consent.” CERD requested detailed information from the government addressing CERD’s concerns by April 14, 2007. CERD has further requested information about the status of the draft Mining Act and its compliance with the UN Convention on the Elimination of All Forms of Racial Discrimination.

The UN Human Rights Committee issued recommendations similar to those of CERD in May 2004 and the Committee expressed concern “at the lack of legal recognition and guarantees for the protection of indigenous and tribal rights to land and other resources. […] A mechanism to allow for indigenous and tribal peoples to be consulted and to participate in decisions that affect them should be established.” As Kambel argues, the decisions by international level UN treaty bodies and adjudicators stress the urgency of taking action to resolve the uncertainty around extractive industries and Indigenous and Tribal Peoples. Although Suriname remains resistant to implementation of international commitments, the mere discussion of the current situation in these international fora shines a light on the urgency of finding solutions to the issues that exist around extractive industries and Indigenous and Tribal Peoples.

**Free Prior and Informed Consent (FPIC)**

Over the past decades there has been an increased recognition of the importance of including Indigenous Peoples in decision-making processes about natural resources located on Indigenous lands. Global processes such as the World Commission on Dams and Extractive Industries Review, commissioned by the World Bank, as well as recent standard-setting exercises at the UN Permanent Forum on Indigenous Populations, have concluded that Indigenous Peoples’ right to self-determination, and their right to development—among other rights—can be protected only if there is explicit recognition of their right to free, prior and informed consent (see box below).

Suriname is party to the newly passed UN Declaration on the Rights of Indigenous Peoples, which was adopted by the General Assembly on September 13, 2007. FPIC is enshrined in the Declaration in several areas such as relocation (Article 10); the adoption of legislative and administrative measures that might affect Indigenous Peoples (Article 19). Article 26 (1) holds that “Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.” Article 27 elaborates the rights to participation in processes pertaining to lands, territories and resources, and Article 28 deals
Free Prior and Informed Consent (FPIC)

Free Prior and Informed Consent (FPIC) is a decision-making process that is free of manipulation or coercion, made before proposed activities take place, is based on a full understanding of the issues and ultimately involves saying ‘yes’ or ‘no’ to the proposal. International level recognition of FPIC is embodied in, amongst others, ILO Convention No. 169, the UN Convention on Biological Diversity, and most recently, the UN Declaration on the Rights of Indigenous Peoples (2007).

The right to FPIC is considered one of the key rights in the bundles of rights claimed by Indigenous Peoples.


with the issue of redress concerning “lands, territories and resources which they have tradition-ally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.” While the language is weaker than in some earlier drafts of the Declaration, in terms of FPIC related to developments on Indigenous lands and territories, it is still a milestone in terms of Indigenous rights. While the Surinamese government voted in favour of the document, spokes-people have stressed that it is a political document, rather than a legally binding one.38

Voluntary industry standards and guidelines used by multilateral development banks also feature some degree of recognition for the importance of consultation with Indigenous Peoples, which they refer to as free, prior and informed consultation. For example, the International Financial Corporation Performance Standard 7 deals specifically with Indigenous Peoples.39 The stated objective of the standard includes “to foster good faith negotiation with and informed participation of Indigenous Peoples when projects are to be located on traditional or customary lands under use by the Indigenous Peoples.”40 Article 13 of Performance Standard 7 applies to a significant portion of extractive projects. It contains a requirement that “the client will enter into good faith negotiation with the affected communities of Indigenous Peoples, and document their informed participation and the successful outcome of the negotiation.” Pursuant to the IFC’s Policy and Performance Standards on Social and Environmental Sustainable, the IFC is required to verify that the proponents of a project have ‘broad community support’ for a project as a condition for bank financing. The definition of this term, however, remains controversial, and the onus on the proponents to document broad community support also represents a conflict of interest. There is no explicit recognition that a community may withhold ‘broad community support’ or say ‘no’ to a project.

Some 40 commercial banks subscribe the Equator Principles. Industry groups have also signed on to these principles, including the International Council on Mining and Minerals (ICMM), of which a number of mining companies operating in Suriname are members (Alcoa and BHP Billiton). A number of mining companies, including BHP Billiton, also have their own policies related to Indigenous Peoples. Export Development Canada, the country’s export credit agency also recently became a signatory to the Equator Principles.41 Projects receiving World Bank funding must apply a set of Operational Policies, amongst these the Indigenous Peoples Policy (OP/BP 4.10). The Inter-American Development Bank similarly has an Operational Policy on Indigenous Peoples (February, 2006). The policies noted above are only applicable if the project is in fact being funded by a bank subscribing to the Equator Principle or a financial institution like the World Bank. There is increased pressure, however, on private developers to follow Best Practice as described above regardless of who is funding the project.
The combination of increased pressure on companies to operate in a socially responsible manner as well as international law and standards helps open up space for dialogue. For example, in Canada, a national debate on the role of Canadian companies abroad has taken place, leading to a consensus document outlining several far-reaching recommendations for the government.42 A number of companies operating in Suriname are Canadian, and the roundtable report puts some pressure on industry and government to ensure that Canadian companies operate responsibly and that mechanisms are in place for mining-affected communities to hold these companies to account.

While many of the initiatives mentioned above remain voluntary, the increased focus on corporate accountability has highlighted what is acceptable behaviour by extractive industries. Moreover, there is increased awareness that going ahead with projects that do not have the support of the community can be costly in terms of potential conflict, damaged reputation, increased costs from delays and cost of mitigating adverse affects on the community. A recent study by the World Resources Institute makes the business case for obtaining the free prior and informed consent (FPIC) of communities. The authors find that obtaining FPIC in large-scale development projects makes financial sense and can ensure that the project is successful.43
2. Indigenous Peoples and mining in Suriname

2.1 Economic importance of mining

Mining, and especially bauxite mining, has been the cornerstone of Suriname’s economy for the past 70 years and continues to be important. The extraction of natural resources is by definition unsustainable, as there are only a finite amount of resources available. Moreover, the cost of rapid and inadequately regulated resource extraction has a heavy social and environmental cost, which is disproportionately being borne by Indigenous and Tribal Peoples. In the context of an influx of large-scale mining companies to Suriname, the lack of recognition of Indigenous Peoples’ right to participate in decision making with respect to resource extraction is becoming increasingly more critical. With its heavy reliance on the extraction of just a few natural resources, Suriname has been prone to boom-bust cycles. Exports of alumina, gold and oil represent approximately 60 percent of GDP. Global commodity prices remain strong, which provides some measure of stability to the economy. In the past, “[i]nappropriate fiscal and monetary policy responses to terms-of-trade shocks have led to episodes of near-hyperinflation and depreciation, significant output volatility, and external payment arrears.” Suriname has been under pressure from the World Bank and the IMF to address its foreign debt and encourage economic growth by further utilizing its natural resources.

Recently, the government of Suriname has made efforts to attract large-scale operations to the country. A number of concessions have been granted and agreements made with foreign companies involved in logging and mining which “provide incentives such as exemption on import duties on equipment; guarantees regarding the unrestricted right to export gold, to repatriate capital and profits, to convert local currency in foreign currency at market rates, and to hire expatriate employees and contractors; and international arbitration of disputes arising in connection with the project.” One example is the agreement struck with the Canadian company Cambior in the Rosebel mine. Cambior held a 95 per cent interest and the Government of Suriname 5 per cent. Additionally, a royalty of 0.25 per cent goes to a foundation that promotes the development of natural resources. Other payments and royalties are due to Grassalco and to Golden Star Resources. IAMGold, also a Canadian company, has recently acquired Cambior. The royalties and participation right payments remain as before.

The incentives offered are so great that they raise questions as to whether any benefit could be passed along to Surinamese citizens. De Ware Tijd, one of Suriname’s leading national newspapers, ran a series of articles in January 2007, questioning what Suriname is gaining from the extraction of natural resources. The situation in the past was described as a “party” for multinationals operating in the country, while the government had failed to capture many of the benefits accruing from the exploration. Referring to the Bakhuys concession located in West Suriname granted to BHP Billiton and Suralco for exploration, the article urged the politicians to stop busying themselves “with Mickey Mouse cases while they are not even aware that a concession of an area of 2,800 square kilometers is about to be given away.” The concession is the largest ever granted in Suriname. BHP Billiton and Suralco are currently in negotiations with the government for exploitation of the concession.

The newspaper further underlined the importance of the government employing experts in the area of transfer-pricing, bauxite and taxes to ensure that agreements made with multinational extraction companies benefit the people of Suriname. Minister Gregory Rusland announced on February 16, 2007 that he had asked the Bauxite Institute of Suriname (BIS) to verify data provided by BHP Billiton and Suralco regarding the amount of bauxite in the West Suriname concession. This represents an important step towards a more pro-active government role in negotiations with mineral companies.
A number of large companies have been attracted to invest in Suriname. The Canadian company Cambior started operations at the Gross Rosebel site in 2004. Suriname’s current deficit account narrowed the same year, to 5 percent of GDP, which has been in part attributed to the opening of Rosebel. US gold giant Newmont reportedly is starting pre-feasibility studies in East-Suriname with a view to extract what the company is anticipating will be significant amounts of gold. According to the De Ware Tijd article, the Minister of Natural Resources, Gregory Rusland, has anticipated that negotiations with the company will start in mid 2007. He is said to support the project, and has expressed hope that it will go ahead, as this could bring benefits to Suriname. Minister Rusland further noted that careful negotiations would be conducted to ensure benefit. Moreover, “[e]nvironmental concerns and the living conditions of local inhabitants are some of the issues which the government takes very seriously.” Minister Rusland also made reference to some of the risks associated with some types of deals struck with companies, noting that when the Government holds interest in a company, there are two possible outcomes; “ups and downs”.

While the large-scale miners, such as Alcoa, Cambior and now IAMGOLD are important industry players, there has also been an increase in informal gold mining in the interior of the country since the 1990s. Most of the gold is produced by small-scale operations and a large percentage of small-scale miners are Maroon. A significant number of Brazilian garimpeiros are also active in the gold mining sector. While it is difficult to assess exactly how many people are involved in small-scale mining operations, and how much gold is produced on an annual basis by them, it has been estimated that between 10,000 and 20,000 extract some 20 to 30 tons of gold. Even with a conservative estimate of the number of people engaged in the informal gold sector, “[g]overnment officials estimate that the industry is the second largest employer after the public sector, and that gold production in the informal sector represents around 15 percent of GDP in 1997-2001.” As with the large-scale mining operations, the government is failing to capture taxes, fees and royalties. As pointed out in a recent report by the World Wildlife Fund, the Suriname Planning Office estimated that between 1995 and 2001 the state collected less than one percent of the gross production value of gold in Suriname in fees and taxes, while it should “recuperate about 16% of the gross production in turn-over taxes, fees and royalties, an amount between one and two million US Dollars per month.”

The price of gold has been holding steady, and there has been an increase in the demand for alumina. It is expected that this increased demand will continue. In this context it is particularly important to ensure that the rights of Indigenous and Maroon Peoples are respected, as much of the resources are found in the interior, on Indigenous and Maroon ancestral lands. The government has an opportunity to capture more of the profits from extractive industries, and to ensure that the companies uphold the human rights of Indigenous Peoples, and respect Suriname’s mining legislation and regulation. Currently, however, enforcement of provisions and monitoring of activities are weak and lag behind what is required in a resource driven economy that respects human rights.

2.2 Bauxite mining

East Suriname, centered around the village of Moengo and along the Cottica River, was the traditional centre for the bauxite mining industry. In the past, bauxite mining-affected Indigenous and Maroon Peoples in the East were left out of decision-making altogether, and mining developments sprung up in and around their traditional territories. The impacts of mining devastated the livelihoods of these peoples, and the trend of excluding communities from decision-making continues (see box below). Recently, however, some small steps have been taken to address this situation, mainly on account of demands and pressure from Indigenous Peoples. For example, through the CLIM, Indigenous Peoples have approached BHP Billiton and Suralco, the mining companies most active in the East, to ask them questions about mine closure.
and rehabilitation. They have expressed great concern with the failure of previous rehabilitation efforts, and are demanding more participation in planning and implementing closure and rehabilitation plans.

As bauxite reserves are being exhausted in the East, BHP Billiton and Suralco are looking to the Bakhuys mountains in the West for untapped bauxite reserves, following up on government plans to do the same in the 1970s. In January of 2003, two Memorandums of Understanding (MoUs) between the government and BHP Billiton and Suralco were signed enabling the companies to explore in the 2,800 square km concession area, and to consider options for hydroelectric power and bauxite smelting.58

The region where the concession is located is home to a number of Indigenous communities, and there is evidence that Indigenous Peoples have inhabited areas along the Corantijn River since long before the Europeans arrived on the continent.59 The Lokono people living in Apoera, Section and Washabo, and the Trio people in Wanapan, have already been directly affected by the bauxite exploration activities, and will be further affected by the proposed mine. Maroon Peoples living downstream will also be affected, as will Indigenous communities living on the Guyanese banks of the Corantijn. Because the Bakhuys bauxite mine proposal is the largest in the history of Suriname and provides an opportunity to learn from previous experiences, the remainder of this section highlights the background and types of interaction that have – and have not – taken place between the companies, government and affected Indigenous Peoples.

In this case, the villages of Apoera, Section and Washabo were not properly informed or consulted about the proposed project, which will have dramatic impacts on their lives. Members of these communities are prohibited from engaging in hunting, fishing and other subsistence activities in the concession area, which has significant socio-economic and cultural impacts.60

There still are a number of uncertainties around the proposed Bakhuys project and its associated transportation options. The most likely scenario at the moment is that bauxite would be transported by rail from Bakhuys to Apoera, then loaded onto barges and transported down the Corantijn River to the coast, then up the Suriname River to Paranam where there is a refinery. The bauxite found in the Bakhuys concession is of lower quality than that extracted in the east of Suriname. The refinery is currently designed to process higher quality bauxite. The lower quality makes benefication necessary, or, the existing refinery will have to be refitted to process the lower grade bauxite. A benefication plant would either be built in Apoera or in Paranam. The companies’ preferred option seems to be that the existing refinery will be modified.62 Building a benefication plant in the West is also possible but unlikely. In either case new power sources would be needed.
There has been speculation that the government might be looking to nuclear energy to resolve some of the demand from industry. In March 2007, Minister Rusland noted in an interview that the question of introducing nuclear energy is not a priority and that hydroelectric power is seen as the preferred source of energy. The proposed site for the hydroelectric development is the Kabalebo River. The issue of providing power to meet the demand of industry is under consideration and will depend on the selected scenario. The government is considering a wide range of options to provide integrated industrial developments to the west, and have signed an MoU with Sino-Hydro, a Chinese company, to consider the development of hydro-power facilities. This Chinese company has a questionable human rights and environmental track record, and the communities are fearful of what Chinese involvement in the west might mean for their communities. The Captains of West Suriname met with Minister Rusland in August of 2007 to express their opposition to any Chinese companies operating on their traditional lands and territories as they fear the environmental track record of some Chinese companies. They also reiterated they are against the construction of dams in the west.

While communities are working hard to safeguard their lands in the face of the range of options and proposals, the director of the Bauxite Institute stressed that a priority for the government as well as the companies is to ensure there is enough bauxite to keep up production at the refining facility in Paranam. The companies and the government are pressing the timelines and if the bauxite mine does go ahead, construction could start in 2008, making the mine operational in 2010 or 2011. The exploration drilling indicated that there is a total of 325 million tons of bauxite in West Suriname. The rate of production is projected at 3 million tons annually, as a low estimate, for some 40 years. There clearly are strong interests at play for a quick approval process, and this has been a significant challenge for the communities.

The communities are putting pressure on the government and the companies to recognize their right to determine what happens to their traditional lands. Together with the Association of Indigenous Village Leaders in Suriname (VIDS), the communities have worked hard for the companies and the government to recognize their right to free, prior and informed consent. The communities have a draft protocol for consultation, and a draft agreement with the companies, which they wish to guide any interactions between the communities on the one hand, and companies and government on the other. While neither the government, nor the companies recognize FPIC explicitly, some important steps have been taken towards a more meaningful consultation process. The companies recognize that they need social license, which is generally taken to mean broad community support, to operate. While negotiations between the companies and the government are on-going, the company has also hired consultants to undertake Environmental and Social Impact Assessments (ESIA) of various aspects related to the proposed operation in the Bakhuys mountains. The communities welcomed the ESIA process and have demanded active participation throughout. However, there have been a number of flaws in the process:

**The Committee on Land Rights Marowijne (CLIM)**

8 Indigenous villages in the Marowijne district have formed the Committee on Land Rights Marowijne (CLIM). Recently they have become involved in the discussion around mine closure and rehabilitation efforts following the end of mining in their areas. Mining has a 90 year history in the east, the CLIM state that in those years Indigenous villages did not see any benefits. Instead, they saw disruption to fish and wildlife due to dynamite blasts and logging to make way for construction of roads. To hunt, they have to ask permission from the concession holder. What they are asking for now is some real rehabilitation. They are also becoming more aware of mining, and want to be more pro-active with proposed gold mines up-stream in the Nassau Mountains.

Source: Personal communication with CLIM members (August 19, 2007).
Regrettably no consultation took place with local communities in the early stages of the Mining ESIA. This goes against the proposed NIMOS guidelines and against company policies. The communities had to push to have informational sessions at the community level.

The consultation process so far has been dictated by company timeframes and processes, rather than those of the communities, despite their consultation protocol which demands, among other things, the companies and government respect their right to FPIC. The timeframes for comments and input into the ESIA have been extremely tight. This has put pressure on the community members and their leaders, as they are forced to comment on documents that would have an impact on their futures in a matter of weeks.

Despite urgings from the VIDS and others, it seems likely that the ESIA process will not be completed before a deal is signed between the government and the companies. This clearly goes against international standards, and leaves the Government of Suriname in a weakened position, as it is negotiating without full knowledge of the impacts of the developments.

While the company-shaped consultation process is taking place, an alternate venue for discussion has sprung up. The so-called Bakhuys Forum (BF) meets every 2-3 weeks either in

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**Tintaya and Bakhuys: lessons learnt from Peru and comparison with Suriname**

BHP Billiton has had previous experience with community consultation. A notable example is the experience from Tintaya, the site of a copper mine in Peru. While the context is different, there are a number of similarities and lessons that could be applied to the Bakhuys Forum.

When BHP Billiton bought the copper mine in 1994 as part of Peru’s privatization process, five communities that surround the mine had experienced soil and water contamination, loss of land and human rights violations. The communities submitted a request for assistance to a Peruvian NGO (CooperAcción) to look into irregularities around the land-transfer process as well as to carry out baseline environmental and socio-economic surveys. Based on the studies, a complaint was submitted to Oxfam’s Mining Ombudsperson, and they helped facilitate a dialogue between the parties. A dialogue table was established in 2002, and representatives from the communities, CONACAMI, CooperAcción, Oxfam America and BHP Billiton were part of the dialogue. Notably, government was not invited to the table due to a high level of mistrust. After nearly 3 years of dialogue, a consensus agreement was struck, and there was a sense of success among the participants. One important outcome is that at Tintaya, the agreement included recognition of FPIC, particularly in relation to the expansion of the mine. While there were some short-comings, and the long-term impact of the agreement and the process are yet to be studied, some lessons may have informed the Bakhuys Forum.

For example, in Peru, the first step of the dialogue process was to agree to a code of conduct. These included principles such as mutual respect, equal representation, confidentiality and consensus-based decision-making. Discussions around logistics and budget were also resolved at the outset. At the Bakhuys Forum, a number of ground rules were also established at the first meeting, these included an emphasis on freedom to express opinions freely and on respect. It was recognized that the decision-making process should be considered carefully, as members of the Forum might need to consult their communities or, in the case of the companies, their superiors. The issue around compensation remained unresolved for some time, which probably contributed to the slow start of the Bakhuys Forum. In Peru, targeted capacity building activities for government, companies and communities were on-going with some taking place at the community-level prior to the dialogues. While the captains and their communities received support from the VIDS, The North-South Institute and others with respect to capacity-building, there was not enough time to undertake the type of in-depth preparation that would have been helpful. Nonetheless, community participants are constantly evaluating their work in the Forum as it goes along and are ‘learning by doing’.

Paramaribo, or in the west. The first meeting took place in 2006, and at the first few meetings the key agenda item was the rules that would govern the Forum. The meetings are attended by the Captains, basjas as well as some community members and by the directors and key staff members of BHP Billiton and Suralco. The VIDS also participates in the meetings to support the Captains. The meetings are conducted in Dutch, with translation available. Minutes are produced following the meetings, and an agenda is agreed upon in advance of the meetings. There have been a number of delays in producing the minutes, and during the early days of meetings there was a long list of unresolved issues, including compensation of costs for the Captains. In retrospect, and based on examples of other community consultations, it would have been beneficial to resolve such issues as compensation before opening up a space for dialogue.

The purpose of the Forum is to have a venue where the community representatives and the companies can talk over issues as they come up. Local government officials are also among the core group of Forum members. A BHP Billiton member of staff explains “[t]he value of the BF is that it is more flexible, but at the same time acknowledging right from the start that a formal consultation will also take place. Without the BF, everything was forced into the ESIA. We saw the need for a parallel information exchange.”73 When asked to reflect on the experience of the Forum thus far, a representative of BHP states that “[l]ooking back, it would have been beneficial to have the Bakhuis Forum earlier, although SRK [a consulting company] cautioned us that we could open ourselves up to critics and be seen to be interfering with the process of the independent ESIA work.”74 The Captains have also stated that meeting on a regular basis has been helpful, and that there has been a good exchange of information. A complete evaluation of the Forum, and whether it can be seen as a model for future use should be undertaken.

2.3 Gold mining

Gold mining is becoming increasingly important to Suriname’s GDP and a number of new gold mining concessions are being considered in the eastern parts of Suriname. Increased exploration and mining activities make it inevitable that there will be increased impacts on Indigenous and Maroon Peoples who live near, or down-stream from, the new concession areas. Small-scale mining has a long history, while large-scale mining for gold started in 2004. The total gold produced in Suriname is very modest on a world scale, representing only 1.8 percent of the world production.78 There may well be more, or less, gold extracted in Suriname. It is difficult to assess with accuracy due to the large number of small-scale operations that exist. Gold mining takes place in the east of Suriname in the so-called Greenstone Belt, “[m]ost of the older gold mining zones are located in the NW-SE greenstone belt between the Goliath Hills and Lawa River, but the E-W extension is also becoming increasingly important.”79 Following the opening of Canadian owned Rosebel gold mine, there has been an increased emphasis on encouraging the exploration of the significant gold deposits that exist. There are a number of Canadian companies active in Suriname in addition to IAMGold (formerly Cambior). These include Canarc, Golden Star and Reunion Gold.

A distinction has to be made between the different types of mining operations that exist in Suriname. There is a formalized large-scale mining industry, but there is also a range of medium-to small size operations that are important in the mining sector in the country.80

Large-scale mining companies active in Suriname: exploration and mining.
BHP Billiton
Canarc Resource Corp.
Golden Star Resources
Grassalco
IAMgold
Nana Resources
Newmont
Reunion Gold
Sarakreek Resource Corp.
Suralco (Alcoa)
SurGold
A number of large multinationals are active in Suriname. Among these the most significant are Cambior and Newmont. The American-owned Newmont and Alcoa jointly own Surgold NV and they have been exploring an area in Nassau, in East Suriname, for gold. They reported having found significant reserves and are hoping to start construction of a mine in 2009, for production starting in 2011. Stephen Enders, the senior vice president of Newmont, told a reporter of the Ware Tijd that “[t]he fact is that the longer you wait to produce, the more the cost will increase. So if we do this [start production] quickly, it means that everyone will make a profit.”81 This pressure to start production quickly is typical of what is happening in Suriname at the moment. The tight timeframes and the lack of capacity within the government, as well as in affected communities, will make it very difficult to consult, decide and ultimately negotiate agreements that will benefit the Surinamese.

Gross Rosebel Gold Mine is located some 80 km south of Paramaribo, and commercial production at the 170 square km concession started in early 2004.82 Cambior, a Canadian company, has been involved in this particular project since 1994. In 2002 Cambior bought Golden Star Ltd. interests in the mine and it held 95 percent interest in the mine.83 While gold was the focus, diamond deposits have also been found in the concession. Cambior described the Gros Rosebel mine as a key asset, “with a record production of 341,400 ounces of gold at a mining operating cost of $208 per ounce in 2005”.84 IAM Gold acquired Cambior in November of 2006.85

The concession for the site was originally granted to Canadian junior Golden Star in 1992. Although a Maroon village, Nieuw Koffiekamp, is located in the southern block of the concession, traditional authorities were not consulted.86 The community opposed the exploration and the consequences associated with a large-scale operation that encroaches on the village. The villagers feared that relocation would be inevitable due to the nature of the operations around their community. In addition to the lack of any form of consultation prior to the granting of the concession to Golden Star, communities have also faced intimidation and violations of a number of internationally recognized rights. For example, in 1995 villagers complained that “they were surrounded by armed guards and that their subsistence activities, including small-scale mining, were restricted and sometimes banned by Golden Star security personnel and armed police units […] They also complained that Golden Star personnel and police were firing live ammunition to intimidate them and keep them from areas in which Golden Star was working.”87 There is a long history of alleged heavy-handed security measures, intimidation and harassment of community members by Cambior staff. Additionally, environmental damage has been caused by the prospecting operations, threatening hunting and traditional subsistence.88

Despite the conflicts that exist between the companies that have operated the concession, including most recently Cambior, the company describes the opening of the Rosebel mine as the “smoothest operational start-up since the creation of the Company in 1986.”89
3. Socio-economic and environmental impacts of mining on Indigenous Peoples

The socio-economic and environmental impacts of mining are significant, and unless effectively mitigated, the negative effects are disproportionately borne by Indigenous and Tribal Peoples. These issues are not necessarily specific to either gold or bauxite mining, but can arise regardless of the type, or scale of extraction of minerals. Communities need to be well aware of the issues discussed below as potential ‘side effects’ of mining.

While resource extraction can make a positive contribution to economic development at the local and national levels, the combination of a weak regulatory framework and no recognition of Indigenous and Tribal Peoples’ right to land and effective participation in decision-making, has overwhelmingly made the experience of extraction in Suriname negative thus far. There are cases where active violations of the rights of Indigenous and Tribal Peoples have occurred. For example, the State has “authorized numerous resource exploitation operations – as well as tolerated many illegal operations.” The following section highlights some of the key social, economic, cultural and environmental direct and indirect impacts mining has had on Indigenous and Tribal Peoples in Suriname.

3.1 Lack of recognition of land rights and traditional leadership

Without recognition of the right to land titles, the Government of Suriname effectively negates the power of elected village leaders to decide matters that are at the very core of the future of their communities. Additionally, the traditional leadership structures are seriously undermined by the lack of information about potential extractive activities. They are frequently left to scramble to tackle challenges related to such activities when in fact all the decisions have already been made. Where the power is taken out of the communities and their leadership, there is also an inability to effectively mitigate negative impacts. The arrival of a large-scale mining operation close to a community can also create divisions within communities, for example when some are employed by the mining company and others not. In a divided community, the leadership is also frequently questioned. In turn, communities without effective leadership may be unable to cope with the challenges presented to them by the arrival of mining companies on their doorstep.

3.2 Threat to livelihood and changes to cultural identity and way of life

A mining operation located near a small Indigenous or Tribal community can change the villagers’ way of life profoundly. The scale and nature of the operation, as well as the proximity of the mining activities to the village and traditional use areas, determine the degree of impact. Extraction attracts workers. While some workers might be from the communities, generally outsiders are also attracted by the potential for employment. The operation of a mine has an impact on subsistence activities such as hunting, gathering and fishing. All mining has environmental impacts, as do exploration activities. As discussed below, all mining has environmental impacts, as do exploration activities.

Human health, sex workers and pollutants in the environment

Large-scale, medium-scale and small-scale mining operations all attract new people to the key regions containing minerals. The majority of inhabitants in mining camps are men, with women providing service, such as cooking, cleaning, selling goods. The mining camps also attract sex workers.

The Pan-American Health Organization identifies HIV/AIDS as one of the most severe health risks for the country’s miners. This means that women sex workers operating in min-
ing camps are at an even higher risk, as are the spouses of the miners back home. While the estimated prevalence rate for infection was 1.26 in 2001 in Suriname, the rate among street sex workers was a shocking 22 percent. There is limited amount of information available on HIV/AIDS in Suriname, and the reporting of AIDS has been characterized as ‘passive’. However, for the age group 15-44, AIDS became the second leading cause of death in 2000.

In her work on the small-scale miners (especially Ndujka miners) at Sella Creek mining region, Heemskeerk emphasizes the important function women play. Not only are some of them miners, they also work as cooks, merchants, wash clothes. Frequently women take on different roles, and this includes providing sexual services. In fact, Heemskeerk found that women's earnings in the Sella area were higher than those of men, due to the nature of the work they undertake. The social costs of the sex trade and the implications of miners bringing HIV and other sexually transmitted diseases home have not been fully explored or understood. It has been speculated that the prevalence of HIV/AIDS will become more visible in time. While the government of Suriname has taken some steps to prevent the further spread of HIV/AIDS, it remains a silent killer. The shortage of medical personnel and the lack of targeted work with high risk groups is a significant threat in this regard.

With the recent gold boom in the interior, it is inevitable that the sex trade will continue to flourish and put communities at risk. The more recent increase in large-scale mining might also have an impact on these activities. While there is little information available on the prevalence of HIV/AIDS among Indigenous Peoples, there are indications that Indigenous women are engaging in the sex trade. Moreover, Indigenous and Maroon men are involved in especially small-scale mining, or mining related activities in the interior. Monitoring both from the government and community levels is inadequate, making it difficult to gain an accurate picture of the current situation. Additionally, health services in the interior are lacking, which means that preventative work and treatment are even less available here than in the capital.

**Availability of employment**

Where there is mining, some jobs become available. As noted above, both men and women find work directly or indirectly related to mining. It is difficult to give exact numbers of Indigenous and Maroon Peoples involved in the mining industry, as these statistics are not routinely gathered. Moreover, a number of small-scale operations operate outside the law.

Despite company promises for local employment, it is difficult to assess how many of these go to skilled workers from elsewhere, and how many will go to local Indigenous or Maroon people. For example, in the case of Bakhuys, it has been estimated that a workforce of 70 people will be required during the construction phase of transportation operations for Bakhuys. A total of approximately 210 people will be required once the mine site is operational. Additional workers will be required for the mining itself. However, the companies have not yet identified how many of the estimated workforce will be skilled workers such as civil engineers, operators for machinery, carpenters etc. In addition, the companies already employ many people, and as other mine sites are closed, existing employees will be given the opportunity to take jobs at Bakhuys, in accordance with BHP policies. In the case of the Rosebel Mine, IAMGold reported employing 949 people and of these 20 percent come from surrounding communities. Just as with the exploitation phase at Bakhuys, the company does not specifically note if these people are Indigenous or Maroon. The company has an employment program in place to encourage employment from adjacent communities.

The issues of the quality of the employment, including the suitability and work conditions are important to consider. In cases where mining camps are at some distance from the villages, employment at the mine might be difficult to reconcile with a traditional lifestyle that includes
fishing, hunting and subsistence agriculture. Additionally, a growing concern is what happens to employment opportunities once the mine closes.

Mercury and other pollutants

The use of mercury in gold mining is a growing concern among many communities in the interior of Suriname. Most small- and medium-scale mining outfits operating in the interior use mercury in the ore extraction process and the amalgamation process. The last step in the production cycle is to heat concentrate from the sluice boxes in a pan over open fire to separate out the gold nuggets.\(^9\) While there is an alternative to using mercury through use of retorts, this is not commonly used in Suriname. In producing 1 gram of gold, about 2 grams of mercury are used. A recent report by the Amazon Cooperation Treaty Organization estimates that at least half of the mercury used finds its way into rivers.\(^10\)

Miners, especially those engaged in the final step of the production of gold, are exposed to mercury. There are hot spots of mercury around areas that are mined. Indigenous and Maroon communities with a diet predominantly based on fish face perhaps the greatest risks from mercury released as a bi-product of gold production. Mercury is extremely toxic, with children and pregnant women being especially vulnerable. Even small amounts of mercury can cause serious damage. Symptoms of mercury poisoning include a number of neurological symptoms such as numbness, difficulty speaking and walking, trembling and intellectual deficiencies.\(^11\) NIMOS’s website lists mercury as one of its priority work areas. The WWF has a gold abatement program in place to increase the awareness and use of retorts, which can be used to drastically reduce the use of mercury in small-scale gold mining. Indigenous Peoples and Maroons are not, however, specifically targeted in this work. In addition, the technology is more expensive than simply using mercury and is often not a viable option for small-scale miners living in poverty.

There have been a number of studies conducted on mercury levels in river fish, and levels have been found to be elevated in a number of species. Already in 2000, sub-director Rene Lieveld of the Ministry of Agriculture, Husbandry and Fishery advised that children and pregnant women should not consume fish including koebie, anjoemara and piren. Others should consume these in limited quantities.\(^12\) The main staple of the diet of many Indigenous and Tribal Peoples is fish, and consuming less is frequently not a realistic option. Additionally, the availability of culturally sensitive information about the risks associated to mercury pollution is lacking.

Other potentially harmful substances are also used in the mining process. Cyanide is commonly used in the gold mining industry. It is used to dissolve the gold from the finely crushed ore. After the leaching of the ore by cyanide, the gold components are absorbed into charcoal and the excess cyanide solution is stored in tailing ponds.\(^13\) There are risks associated with this process, and there are numerous examples of tailing ponds breaking, or other leaks occurring, allowing cyanide to be released into the environment. In 1995, Omai Gold Mine, owned by Cambior, had a serious incident in which a tailings dam collapsed and some 3.2 million cubic metres of cyanide waste washed into the Omai River and then into the Essequibo, which is the largest river in Guyana.\(^14\) A similar incident, although without the catastrophic results seen in Guyana, happened at Cambior’s Rosebel site in November 2005. The Stabroek News reported that workers discovered a leak at the mine, causing ore and water laced with cyanide to be released. The leak was contained and no damage was reported. This case reinforces that there are serious risks of chemicals, used in the mining process, contaminating the environment with potentially serious consequences for human health. The close proximity of mines to Indigenous and Maroon communities puts them at an increased risk for suffering adverse affects in the case of leaks and dumping of chemicals.
While the use of chemicals in the gold industry is perhaps most commonly known, the refining of bauxite is not without its risks. There are a number of bi-products from refining bauxite (aluminum hydroxide) into alumina (aluminum oxide). The Bayer process dissolves bauxite under high temperatures then pressures in sodium hydroxide. As Goodland explains, “[i]nsoluble impurities of bauxite ore (iron and other oxides, titanium, silica) are then filtered out as a highly caustic sludge called “Red Mud.” The disposal of the waste product is a problem, and since it is so highly caustic it can cause serious environmental damage. If released, there is a risk that the caustic matter will seep into groundwater and river systems.105

Deforestation, removal of soil and other environmental impacts

As discussed above key pieces of Surinamese environmental legislation remain in draft, making environmental enforcement of any kind virtually impossible. NIMOS, the country’s environmental authority, has argued that “they have no way whatsoever to fine anyone for violation of environmental practices, such as for example oil spills, spill of cyanide, dumping garbage in illegal places or illegal deforestation.”106 There is no dispute that mining and the related infrastructure can have a significantly adverse effect on the environment. The release of chemicals, as discussed above, can have serious negative affects for whole ecosystems, especially if they find their way into the waterways. Removal of trees and the top layers of soil for exploration of subsurface resources also has an obvious and immediate impact on the environment. Runoff due to erosion has an impact on river systems and can make areas more prone to flooding. Deforestation threatens the habitats of the many species endemic to the Guyana Shield and causes loss of biodiversity.

A loss of biodiversity has a direct impact on peoples’ livelihoods. Many communities rely on hunting and fishing for their livelihoods, as well as wildlife trading. These resources will become scarcer with mining.

As noted in recent reports by Goodland and Weitzner107, once tropical forest has been removed, it cannot be restored to its original state. While it is important that the company engages in rehabilitative efforts once the mining site has been exhausted, restoration of tropical forest has a very low success rate. Since many Indigenous Peoples in the interior depend on river fish, wild game, and the use of the forest to harvest medicines and building materials, restoration of forest cover has a very immediate and direct impact on the livelihoods of people. It must also be recognized that it is not only the mine site itself that faces logging and removal of soil; trees and soil are also removed to make way for infrastructure, storage facilities as well as the mining camps.

Some Surinamese mining companies have engaged in rehabilitation efforts post production. For example, in the East, Suralco is attempting rehabilitation at Coermotibo. At the request of representatives of the CLIM, Suralco recently arranged for Indigenous representatives to visit the Coermotibo mine sites. The focus was on the rehabilitation efforts of the mined-out areas. The initiative is relatively new, only starting in 1994 and company representatives acknowledged that the methods still need to be refined. VIDS representatives noted that the planted forest did not seem to contain the hardwood species, fruit trees and medicinal trees that they would normally expect to find in the forest.108 Moreover, they also noted the vast tracts of land left barren.

There were attempts to rehabilitate abandoned mine sites at East Suriname’s Wane Hills. It has been observed that “[t]he wasteland that is left [following bauxite mining] can often hardly be rehabilitated because it is a landscape of bare kaolin without a layer of humus: a soil on which barely anything grows. Or it is a swamp where the alkaline environment maintains itself …The few feeble attempts at ‘rehabilitation’ [ in Suriname] are no use at all: one area is planted with exotic pine trees that hardly grow, in the other areas holes are made for planting neem trees, mango trees and other exotic species, whereas before there was natural forest with a great diversity of plant and animal species.”109 A number of baux-
ite mining sites are close to depletion and therefore closure. These include Coemotibo in 2007 (District Marowijne), Lelydorp III in 2007 (Para), Kaaimangrasie in 2010 (Commewijne). Mines under development are Klaverblad (Commewijne) and Caramacca (Commewijne). The former is set to start operation in 2007 and be closed in 2010. The latter is expected to open in 2009 and close in 2011. Significantly, the estimated lifespan of the mines are very short.

Rainforest ecosystems are complex and any efforts to re-plant areas that have been cleared will be very challenging. It is, however, possible to encourage vegetation, in the form of pioneer species and secondary growth, “[a]lthough the secondary forest will be low in diversity and poorly developed, the forest cover will be adequate for some species to return”. While rehabilitation can not bring back the original biodiversity, it could play some role in preventing further deterioration, and further erosion in abandoned mine sites. Due to the fragile nature of rainforests on which many Indigenous and Maroon Peoples depend for a living, the precautionary principle should guide any decision to disturb the ecosystems to extract minerals. Very careful Environmental and Social Impact Assessments are essential in this respect.
4. Regional integration and international linkages

Mining in Suriname has to be seen in a wider context. There are regional as well as international processes and pressures that have an impact on what happens domestically, and at the community level. International donors are also contributing to attracting foreign investment in the mining sector by, for example, investing in infrastructure. The European Union in its Joint Annual Review published in 2004, identified improving and upgrading transportation infrastructure as the priority, and it was suggested that “within this environment of reinforced institutional capacities improving the efficiency of the transportation sector will enhance the competitiveness of the private sector” because amongst the areas of focus is the improvement of port facilities, ferry crossings and road development. For example, improvements to the car terminal ferry crossing the Corantijn River at Nickerie to Guyana will be supported by the EC. These investments form part of a move towards greater regional integration and “growth through trade development”.

The Initiative for the Integration of Regional Infrastructure in South America (IIRSA) is a major infrastructure integration project which aims to “integrate productive chains across international borders, in particular the Bauxite-Alumina-Aluminum chain, and the oil/gas-petrochemicals-fertilizers chain. The IIRSA will connect Brazil to Venezuela through the Guyanas. Other proposals include improving the East-West-connection, including the road from Zanderij to Apoera, a road from Apoera to Nieuw Nickerie, and improving connections with French Guyana and Guyana. A major link between Suriname and Guyana being proposed is a bridge to be located between Apoera and Orealla, which is part of the so-called “Proyecto Ancla”, a road connecting Ciudad Guyana (Venezuela), Georgetown(Guyana) and Paramaribo (Suriname).

These proposed infrastructure developments cannot be seen in isolation from the greater priority given to large-scale mining investment. This is especially true in the case of West Suriname where BHP Billiton and Alcoa propose a large-scale bauxite mine with related developments. The companies hope to start construction soon. The infrastructure developments are seen by the government as part of a greater integration to facilitate trans-border trade and economic development in the region. Many of the infrastructure developments being proposed under the IIRSA are not new. Some of the projects were resurrected and in the case of Suriname, the IIRSA fits with the government’s 1970 vision of an integrated aluminum industry. While the government has initiated negotiations with BHP and Suralco to start mining the Bakhuys concession, they are still seeking other potential partners to make the vision for an integrated industry in the West a reality. Recently, a Chinese delegation had high-level meetings with government representatives. They visited West Suriname and it was reported that they are particularly interested in the bauxite mining sector. Moreover the government is reportedly “open to closer cooperation with Sino-Hydro to construct several hydro-power facilities in West-Suriname as part of an integrated development plan for the region.” Communities in the west are concerned with this development, as they fear more severe environmental impacts, fewer job opportunities and potential human rights violation if Chinese or other operators take on large infrastructure projects in the region.

The Indigenous and Maroon villages in West Suriname, which would be very much influenced by not only the bauxite developments, but also those involving infrastructure, have not been consulted on the improved transportation links being proposed. Development economist Dr. Pitou Van Dijk of the Netherlands recently highlighted the proposed IIRSA in an October 2006 visit to Suriname, noting that while there could be economic advantages, there will be a number of possible negative effects as well. These could include increased illegal logging and hunting. Communities in West Suriname are slowly becoming more aware of the scale and number of proposed developments that will have an impact on their livelihoods and way of
life. There is no doubt, however, that it will take significant efforts to fully grasp the cumulative impacts and formulate some way to respond to all of these proposals.

The above does not suggest that improved infrastructure should necessarily be seen as a threat. However, infrastructure development must be seen in context and as part of a greater plan where the extraction of resources plays the star role. Moreover, the increased emphasis on extractive industries and moves to facilitate economic growth through the improvement of regional infrastructure cannot be separated from tentative moves towards greater regional integration in the form of, amongst other things, trade agreements such as CARICOM of which Suriname became a member in 1996 and the World Trade Organization, which it joined in 2004.\textsuperscript{117}
Conclusions

Suriname is rich and the riches are located largely in Indigenous and Tribal lands and territories. Over the past decade there has been a push to extract resources in Suriname, by the government as well as mining companies. Resource exploration is being driven by demand on the world market rather than a careful consideration of what will best serve the Indigenous communities whose lands and territories hold the valued resources. Currently, there is no recognition of Indigenous rights to actively and fully participate in decision-making about developments proposed for their territories, including the right to accept or reject proposals. Given the increase in extraction, there is an urgent need for the government to put in place regulatory frameworks that recognize Indigenous rights and protect the environment.

Despite the obstacles, the past decades have seen an increased awareness of Indigenous and Tribal rights, and a number of organizations, including the VIDS, were founded to actively promote and advocate for the recognition of these rights. Indigenous and Maroon Peoples are generally not anti-development, they are pro self-determination. Communities seek to have negative impacts of proposed mining reduced, mitigated or prevented. Indigenous Peoples have a strong sense of what they want for their future generations, and it is becoming increasingly more important to articulate these visions to ensure they are heard at a national level. Communities need to carefully consider their options, and draft plans for the future to determine what they will and will not accept on their lands in both the short and long term. The communities must take the responsibility to be engaged and informed about potential developments on their lands.

Currently, the companies and the government are pushing ahead with developments in the resource sector, abiding only by their own timelines, as seen in the case of the proposed bauxite mine in West Suriname. Mining activities are a cornerstone of Suriname’s economy, and are projected to continue to play a very important role as government is encouraging large-scale mining. Potential beneficial spin-offs from mining have generally not been experienced by Indigenous and Maroon Peoples. Unless Indigenous and Maroon Peoples fully participate in the decision-making process concerning developments on ancestral lands, it will be difficult to ensure that benefits are seen in those communities, and to effectively mitigate and prepare for potential adverse effects. Some steps have been taken in terms of establishing a process for consultation by the communities that have traditional lands located near, or on, the site of the Bakhuys bauxite concession. While the experience has been mixed so far, there is no doubt that it has been a very important process from which many lessons will be drawn.

Indigenous and Maroon Peoples disproportionately bear the adverse effects of mining on or near their traditional territories, including pollution of rivers and creeks and changes in livelihoods due to the pollution. Regulatory frameworks that remain in draft, such as the NIMOS guidelines and the mining law, must be finalized following appropriate consultations with Indigenous Peoples and consideration and accommodation of their points of view. Both the government and the communities should work to increase their capacity in terms of dealing with extractive industries, especially in terms of establishing guidelines for consultation and participation, and enhancing their skills for negotiation and long-term planning. Developments in Suriname are not happening in isolation. Regional developments including development of cross-border infrastructure, and global demand for minerals all have an impact on what happens on the ground. An increased push for multinational companies to operate with responsibility, as well as standards and guidelines that exist for companies, might also generate a space to further discuss the relationships between companies that extract resources, and national governments and communities. International instruments can similarly help increase accountability.

Finally, the search for gold and other minerals will continue. The key concern at this juncture is that Indigenous communities continue to be supported, that they are heard and that their
vision of the future guides the decision-making process about resource extraction in their territories. Failure to do so not only violates their internationally recognized rights, but is also a recipe for escalation of conflict.
Is There Gold In All That Glitters?

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De Ware Tijd, “Newmont start pre-feasibility studie,” March 27, 2007


Forest Peoples Programme and Tebtebba Foundation. 2006. Indigenous Peoples’ Rights, Extractive Industries and Transnational and Other Business Enterprises: A Submission to
the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises. 29 December.


Is There Gold In All That Glitters?


Suralco. Memorandum from Suralco, Orientation rehabilitation activities Coermotibo Operations Moengo, November 30, 2006


Appendix 1:
Interviews in Paramaribo, conducted between August 13 and 22, 2007

Ms. Vaseur, Director, The Bauxite Institute
Warren Pedersen, managing director of Suralco
Domenique Ploevier, Mr. Zondervan and World Wildlife Federation (WWF-Guianas)
Patricia Meulenhof, directeur, Ministry of Regional Development
Nancy Del Prado, Inter American Development Bank
Ine Apapoe, working with Maroon peoples in the East.
Mr. Gemerts, Director of Grassalco
Eddie Scholtz, Managing Director BMS
Christine Wirokromo, Manager of CSR/PR, BMS
Andy Witcomb, Manager Environment, BMS
Mr. Smith, Canadian Honerary Consult
Monique Essed-Fernandes, (PLOS)
CLIM, Captains and Basjas from 8 communities in the east and their coordinator Grace Watamaleo.
Roy van Aerde, IAM Gold. Public affairs officer
Loreen Jubitana, Director Bureau VIDS
Josee Artist, Community Development Officer, Bureau VIDS
Carla Madsian, Researcher, Bureau VIDS
Jaqueline Jubithana, Legal Program Officer, Bureau VIDS
Visits to Albina, Adjoemakondre, Pierrekondre, Marijke-dorp, Erowarte, Tapuku.
Endnotes

1 While the emphasis is placed on Indigenous Peoples, much of what will be discussed also applied to Maroons. Some of the examples used will draw on the experiences of Maroons.

2 The work draws on the research conducted over the life of two projects, the first Suriname pilot project funded by the International Development Research Centre of Canada (IDRC) as well as the project entitled Indigenous Peoples and Mining in Suriname-Building Community Capacity and Encouraging Dialogue funded by the Inter-American Development Bank. The report incorporates and conveys research results gathered by community members themselves over the life of the IDB-funded project.

3 Between 2001 and 2006, the IDB and CIDA financed 52 projects for a total of CAD$6 million for technical assistance to the region. The CANTAP-3 Trust Fund supported the preparation of projects and programs of the IDB and the Multilateral Investment Fund targeted to the poorer countries in the region, primarily in social development, environment and natural resources management and governance projects, in addition to a special line of financing for Indigenous Peoples’ development. Please see www.iadb.org for more information about CANTAP.


6 Ibid., pp. 4, 13


12 While Kambel and MacKay (1999: 16-17) mention 4 distinct Indigenous Peoples, according to E. Carlin and M. Boven, if examined through the lens of linguistics, it is more correct to say there are 8 Indigenous Peoples in Suriname, as there are 8 distinct language groups spoken by the Lokono and Carib people in this region. Quoted in The Association of Indigenous Village Leaders in Suriname (VIDS). West Suriname: Wat Betekent een Geïntegreerde Aluminium Industrie voor de Inheemse Gemeenschappen? Available from www.nsi-ins.ca.

13 Kambel: Ellen-Rose, (2006) Indigenous Peoples and Maroons in Suriname. Economic and Sector Studies Series. Washington DC: Inter-American Development Bank, August, p. 7 Kambel notes the Census figures are problematic in that they do not disaggregate urban/rural figures, and therefore the total number of people living in tribal communities is unknown.


16 Weitzner (2007), p. 37

17 The traditional leaders of Indigenous villages are Chiefs, but commonly referred to as Captains. In this paper the term Captain will be used.

18 VIDS, (2007), pp. 19, 35

19 Apoera Plan was constructed close to the village of Apoera in the 1970s as part of the integrated development plan for West Suriname. As bauxite prices declined and the industry was not developed, houses in Apoera Plan were left. Over time, houses were inhabited by a mix of people. The Indigenous Population of Apoera Plan recognize the authority of the Captain of Apoera.

20 This section relies heavily on Weitzner (2007)

21 Article 2(2) of the Mining Decree (1986) states: “All minerals within the territory of the State of Suriname are property of the State.” Article 41 of the 1987 Constitution states: “Natural riches and resources are property of the nation and shall be used to promote economic, social and cultural development. The nation has the inalienable right to take complete possession of its natural resources in order to utilize them to the benefit of the economic, social and cultural development of Suriname.”


23 Buursink, p. 61

24 Ibid., p. 6

25 Ibid., pp. 6 and 11

26 Ibid., p. 11. See also Weitzner (2007)

27 These were published in March 2005 and include 5 volumes: Volume I: Generic; Volume II: Mining; Volume III: Forestry; Volume IV: Social Impact Assessment; Volume 5: Power Generation and Transmission Projects.

28 Weitzner (2007), pp. 24-5

29 A new National Forest Policy was adopted in June of 2005

Quoted in Kambel, (2006), p. 16. See also Forest Peoples Programme annual report 2006

Forest Peoples Programme annual report 2006, p. 2 The Forests Peoples Programme’s Legal and Human Rights Program has provided support to communities to use national and international law to protect their rights. In Suriname they have assisted communities with submission to the Inter-American system as well as to the CERD


The IFC is the private arm of the World Bank Group. There are 8 Performance Standards with accompanying Guidance Notes. The Standards are at the Core of the revised Equator Principles which is a code of practice applied by a number of large international banks financing large private sector developments.


For more information please see: http://www.halifaxinitiative.org/index.php/Issues_CNCA.


IMF Country report No. 06/135, p. 5.

Ibid.

IMF Country report No 5/42, p. 36


De Ware Tijd, “Meer inkomsten voor de bevolking van Suriname”, 29/1/2007; De Ware Tijd, “Internationale Kapitaalmarkt”, 22/1/2007; De Ware Tijd, “Meer halen uit bodemscatten”, 20/1/2007

De Ware Tijd, “Internationale Kapitaalmarkt”, 22/1/2007

De Ware Tijd, “Bauxite Instituut bestudeert data West Suriname”, 16/2/2007

European Commission, joint annual review, p. 154

IMF Country report No. 06/135, p. 8

De Ware Tijd, “Newmont start pre-feasibility studie”, 27/3/07

Ibid.

55 Estimates range. WWF has estimated that between 20,000 and 25,000 people are active in the small-scale mining sector. Please see www.worldwildlife.org/forest. The IMF has estimated that between 10,000 and 20,000 people are active in the sector. Please see IMF Country Report No. 05/42, p. 38. NIMOS concurs and estimates that some 30,000 kg are produced by small-scale miners. Please see www.nimos.org.

56 IMF Country report No 5/42, p. 39


58 The government of Suriname over the years has had visions of creating a more integrated aluminium industry, not only in existing mining areas in the east, but also in the west of Suriname which remains untouched by large-scale mining developments. In the 1970s, the government looked to the west to the Bakhuys Mountains. Investments were made and infrastructure was built to enable bauxite mining and the creation of a hydroelectric dam at Kabalebo. The infrastructure included a railroad from the Bakhuys Mountain range to a port built specifically for these projects in Apoera. A number of roads were also constructed, among these a road from Apoera to the mining concession, and roads leading out towards the proposed hydroelectric project. For more information see Weitzner (2007) p. 5 and generally.

59 See Caroline de Jong, Inheemsen aan de Corantijn 1900 voor Chr.- 1900 na Chr. (August 2007). Available from www.nsi-ins.ca

60 Please read Weitzner (2007) and VIDS (2007) for a complete account of the Bakhuys project.

61 Beneficiation” is a process to remove impurities from ore. It includes crushing, screening, washing and stockpiling ore before it is transported for refining (www.comalco.com). SRK Consulting, Environmental and Social Impact Assessment of Transport Aspects of the Proposed Bakhuys Bauxite Project: Scoping Phase Report. Document number 362387/2a, May 2007, p. 46


64 Officials from both the Ministry of Regional Development and PLOS emphasized the need to keep profits in the country by having in-country refining and processing.

Their demands put to the Minister at the meeting were also expressed in a letter of September 10, 2007 to the Minister from Captains Lewis, Aroepa, Mac-Intosh and the VIDS.

For more information on the substance of the MoU, see VIDS (2007); Weitzner (2007) BHP is signatory to the MoU concerning itself with mining and refining, while Suralco is also party to the MoU dealing with Power and Smelting.

The South African based consultants SRK were hired to undertake the work.

An ESIA for the mine was started in 2003 and completed in 2006. ESIAs will be conducted for the transportation options and refinery. Work on the transportation ESIA began in October 2006 and will be completed at the end of 2007.

Interview with BHP Billiton staff in Suriname., August 16, 2007.

Weitzner, (2007), p. 41

De Ware Tijd, “Bauxite Instituut bestudeert data West-Suriname”, 16/2/2007

For the full text of these, see Weitzner, Viviane. “Asserting…”…


Due to the limited scope of this paper, please refer to the MMSD (January 2002) and Sinding (2005) for discussion about definitions. In the case of Suriname, many of the smaller gold operations are illegal and little information exists about them. In terms of the legal operations, the Mining Law of 1986 makes a distinction between “large-scale” or “investment mining” and small-scale mining. The distinctions are important as different sets of regulations are attached to the various sized of operations, as set out in the table from Healy and Heemskerk, (2005) p. 18

<table>
<thead>
<tr>
<th>Parameter</th>
<th>[Large-Scale] Mining</th>
<th>Small-Scale Mining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sequence of mine development</td>
<td>Phased, moving from reconnaissance to exploration to exploitation</td>
<td>Reconnaissance, exploration and exploitation rights granted at the same time</td>
</tr>
<tr>
<td>Size of claim during phases</td>
<td>A reduction scheme: 200,000 to 40,000 to 10,000 hectares</td>
<td>200 hectares for all phases</td>
</tr>
<tr>
<td>Term</td>
<td>2, 7 or 25 years</td>
<td>2 years (with option for extension)</td>
</tr>
<tr>
<td>Right of disposal</td>
<td>Exploration and exploitation permits may be transferred</td>
<td>None</td>
</tr>
<tr>
<td>Plans or feasibility study including work schedule</td>
<td>Required for all phases, including investment budget and work schedule</td>
<td>Not required</td>
</tr>
<tr>
<td>Reporting</td>
<td>Required for all phases</td>
<td>Required</td>
</tr>
</tbody>
</table>

1. In 2002, the Government of Suriname issued a Draft Revised Mining Act that will eventually replace the 1986 Mining Decree. In the draft act, there are distinctions made between large-scale mining (grootschalige mijnbouw) and small-scale mining (kleinmijnbouw). One of the defining factors of the latter under the proposed law is a limit of 100 hectares (Article 56).

2. De Ware Tijd, “Newmont wil in 2011 al Nassau-goud”, 26/05/07


5. IAMGold is listed on the Toronto Stock exchange and is a member of the Prospectors and Developers of Canada (PDAC) and committed to the Environmental Excellence in Exploration (e3) initiative which provides a clearing house for information on standards and international best practice. While the initiative provides mining companies with valuable information, it stops short of actually having strong guidelines in terms of engaging Indigenous Peoples in consultations. See also: http://www.iamgold.com/rosebel.php

6. In Brokopondo district, Ndjuka and Saramaka Maroons have experienced numerous violations of their right to land. In 1963-4 approximately 6,000 Saramaka and Ndjuka were forced off their land for the construction of a hydroelectric dam and a reservoir to provide power to a bauxite refinery. Only a token compensation was paid to the communities and they were not given secure land rights in the areas to which they were relocated. Nieuw Koffiekap is one of the relocated villages.

7. CERD submission, 15 Dec 2002, p 21

8. See MacKay, (2002), Mining in Suriname: Multinationals, the State and the Maroon Community of Nieuw koffiekap.

9. Please see Cambior’s website, www.cambior.com. Cambior has a 65 percent interest of the Omai Mine in Guyana. The Omai mine is well-known for the failure of a tailings dam in 1995. 4.5 million m³ of cyanide-bearing solution was released into

90 It should be noted that adverse affects are highlighted here as a means to analyze these and to come up with strategies that can mitigate them. Indigenous and Maroon individuals and families may have benefited financially and in other ways from mining, but overwhelmingly, as a collective this has not been the case.

91 CERD submission, 15 Dec 2002
96 See Antonius-Smit et al, p. 242
97 In the case of the exploration phase of the proposed Bakhuys project, the companies kept records of the number of local people hired. The village captains in West Suriname estimated that some 74 Amerindians were hired at some point during the exploration phase. Participatory mapping conducted in the villages in November 2006 revealed that at that time approximately 38 Amerindians from Apoera Dorp, Section and Washabo were working at the mine of a total of 150 workers.97
98 IAMGold.com/rosebelp.php
101 ACTO, p. 15
102 As quoted in CERD submission, Dec 15, 2002, p. 53
103 http://www.mineralresourcesforum.org/incidents/BaiaMare/docs/Bckgrnd-Use_of_cyanide_in_mining.htm
104 Stabroek News, “Mine reclamation at Omai gathers momentum”, 1/10/06
105 Robert Goodland, BHP Billiton/Suralco’s Bakhuys Bauxite Mine Project, p. 6
106 Ibid.
108 Memorandum from Suralco, Orientation rehabilitation activities Coermotibo Operations Moengo, Nov. 30, 2006
109 Shamita Sahdew and Paul E. Obouter. 2003. Destruction of the tropical rainforests of the Guianas. Paramaribo: Institute for Biodiversity and Environment Education and Research (IBER), the National Zoological Collection of Suriname (NZCS) and the Comité Redt West Suriname, p. 6
111 http://rainforests.mongabay.com/1001.htm
112 European Commission, joint annual review, pp. 2-3
117 Joint Annual Review, pp. 1-4
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