

# A Historical Narrative of Traditional Lands around the Newmont Sabajo Project

Baseline Study for the Environmental and Social Impact Assessment  
of the Sabajo Expansion of the Merian Gold Mine in Suriname



March  
2018

Marie-Josée Artist & Florence Rijdsdijk  
Commissioned by  
Newmont Suriname

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*Disclaimer*

*The views and opinions expressed in this report are strictly those from the interviewed representatives of the communities. The findings and conclusions or recommendations are based on the information gathered from desktop study and interviews. The authors are not responsible for the opinions expressed by interviewees.*

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## ACRONYMS

ACT	Amazon Conservation Team
ADRIP	American Declaration on the Rights of Indigenous Peoples
CBL	<i>Centraal Bureau voor Luchtkartering</i> (Central Bureau for Aerial Mapping)
CF	Community Forest (Gemeenschapsbos)
ESIA	Environmental and Social Impact Assessment
GIS	Geographic Information System
HKV	<i>Houtkapvergunning</i> (Wood cutting license)
IACHR	Inter-American Commission on Human Rights
ILO	International Labor Organization
IP	Indigenous Peoples
ITP	Indigenous and Tribal Peoples
SSDI	Support for the Development of the Interior Program
UNDRIP	United Nations Declaration of the Rights of Indigenous Peoples
USGS	United States Geological Survey
VIDS	<i>Vereniging van Inheemse Dorpschoufden in Suriname</i> (Association of Indigenous Village Leaders in Suriname)
VSG	<i>Vereniging van Saramakaanse Gezagsdragere</i> (Association of Saamaka Village Leaders)
WWF	World Wide Fund for Nature (World Wildlife Fund)

## ACKNOWLEDGEMENT

The completion of this Historical Narrative of the Traditional Lands near Sabajo could not have been possible without the participation and assistance of many people, whose names cannot all be enumerated. Their contributions are sincerely appreciated and gratefully acknowledged.

As consultation of tribal and indigenous communities was the most important means of information gathering, the people of the consulted villages, who willingly gave their time and shared their stories and other information with us, were at the core of the research process.

So, first and foremost we would like to express our gratitude to the Granman of the Ndyuka and the traditional authorities, the men and women, young and older people from the villages who participated in the consultation process:

- the Kawina villages Java, Peninika, Gododrai, Mungotapu and Awa;
- the Saamaka/Saakiiki villages Asigron, Boslanti and Tapoeripa;
- the Paamaka villages Sebedoe kondre, Nason and Skin Tabiki;
- and the Kari'na and Lokono people of Para-East.

The resource persons of the different communities had an important role in making the appointments for consultation of the communities; we would like to thank them for their work, which was not always easy.

Paramaribo, March 2018,

**Marie-Josée Artist & Florence I. E. Rijdsijk,**

*Consultants.*

## EXECUTIVE SUMMARY

### INTRODUCTION

This report identifies the traditional landholders where Newmont's Sabajo Project sits. It was commissioned by Newmont Suriname LCC "Newmont" as part of the company's baseline studies in preparation for an environmental and social impact assessment. The report contains presentation of facts and expert analysis regarding two requests posed by Newmont:

- Determine and document whether traditional ownership is present in the project area and, if so, whom should be recognized; and
- If traditional ownership is recognized, identify traditional protocols for engagement and agreement making with the traditional owners.

The study sought to take a highly participatory approach, building on the knowledge of the various Maroon Tribes and indigenous peoples around the Sabajo Project: the Saamaka, the Kawina (as part of the Ndyuka), the Paamaka, the Kari'na and the Lokono.

The objective of research was to identify traditional land ownership in the project area, which encompasses the area of proposed mining activities and the proposed hauling road; the research did not undertake determination of tribal boundaries, but only whether the project is situated within traditionally owned land.

The study was designed in two parts. The first part focused on literature review and the validation of maps through participatory exercises with four peoples (Saamaka, Kawina, Lokono and Kari'na). The second part of the study was built on the initial findings of the first part and concentrated on assessing the Kawina land claim in the Sabajo project area and their traditional structures. The study also sought to address the validity of the Kawina land claim near the Merian mine and to rule out the possibility that the other tribes could make a claim.

### CRITERIA AGAINST WHICH TRADITIONAL LAND RIGHTS WERE ASSESSED

Taking a rights-based approach towards assessing traditional land rights is specifically reflected in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Inter-American Declaration on the Rights of Indigenous peoples (IADRIP), where resp. article 24 to 29 (UNDRIP) and section V, article XXV (IADRIP) directly address the rights of Indigenous peoples' land, territories and resources. The Committee on the Elimination of Racial Discrimination (CERD)<sup>1</sup> urges the State Party (Suriname) in 2009 to "ensure legal acknowledgement of the collective rights of indigenous and tribal peoples -known locally as Maroons and Bush Negroes- to own, develop, control and use their lands, resources and communal territories according to customary laws and

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<sup>1</sup> The Committee on the Elimination of Racial Discrimination (CERD) is part of the Office of the High Commission on Human Rights and is the body of independent experts that monitors implementation of the Convention on the Elimination of All Forms of Racial Discrimination by its State parties.

traditional land tenure system and to participate in the exploitation, management and conservation of the associated natural resource”<sup>2</sup>.

Indigenous (*Ed. and tribal*) peoples in Suriname have property rights over territory that extend in principle over all of those lands and resources that indigenous (*and tribal*) peoples currently use, and over those lands and resources that they possessed and of which they were deprived, with which they preserve their internationally protected special relationship – i.e. a cultural bond of collective memory and awareness of their rights of access or ownership, in accordance with their own cultural and spiritual rules<sup>3</sup>.

This is reflected in the determination of the criteria for the identification of traditional land rights:

1. evidence of the historical occupation and use of the lands and resources by members of the community;
2. evidence of the development of traditional subsistence;
3. ritual and healing practices therein; and
4. of the names given to the area in the community’s language.

The approach applied during research was designed to verify the validity of potential traditional land rights claims against these criteria<sup>4</sup>.

## STUDY APPROACH

The study comprised a series of methods, each informing consecutive steps to build on knowledge gained during previous steps and to narrow down the area of research:

- The study started with an in-depth literature review regarding the history of Ndyuka, to which the Kawina subgroup belongs, including peace treaties and reviews of historical maps;
- Participatory mapping validation meetings were held with four (4) indigenous and tribal groups: Kawina, Saamaka from the three (3) nearest villages to the Project Area, and the four (4) nearest Kari’na and Lokono villages. These meetings aimed to clarify the traditional areas of the various groups as they perceive the boundaries;
- Sixty-five (65) semi-structural individual interviews and storytelling sessions were held with Kawina, Saamaka/Saakiiki and Paamaka captains, men and women, youth and elderly, loggers, small scale miners and experts on Maroon traditions;
- Five (5) focus group meetings were held with representatives of the same stakeholder groups;
- A one-day workshop and five-day field mapping excursion were conducted on the traditional ownership of the Little Commewijne Creek by five (5) Kawina men, supported by a chain saw expert, a consultants’ team member and an employee of Newmont’s Social Responsibility Department;

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<sup>2</sup> CERD/C/SUR/CO/12 3 March 2009

<sup>3</sup> Inter-America Commission on Human Rights, OEA/Ser.L/V/II. Doc. 56/09 30 December 2009: *Indigenous and Tribal Peoples’ Rights over their Ancestral Lands and Natural Resources. Norms and Jurisprudence of the Inter-American Human Rights System*, p. 33

<sup>4</sup> The analyses was meant “to understand the traditional use or presence, maintenance of sacred or ceremonial sites, settlements or sporadic cultivation, seasonal or nomadic gathering, hunting and fishing, the customary use of natural resources or other elements characterizing indigenous or tribal culture”, of mentioned groups.

- A two-day visit to the Granman (highest authority of a tribe) of the Ndyuka tribe was conducted to verify collected data about the watershed and territory of Ndyuka in general and Kawina specifically, and his opinion on (traditional) protocols; and
- Verification of the findings on location by Kawina, Saamaka, (and possibly the Paamaka, Kari'na and Lokono) is planned for January 2018.

## FINDINGS

Findings related to traditional territory and traditional protocols are described below.

### *Traditional territory*

Preliminary desktop study and the mapping validation exercises in particular yielded the following outcomes:

1. Indigenous peoples of upper Para region, as well as Paamaka and Ndyuka, including Kawina, recognize that Indigenous peoples are the first inhabitants of the territory surrounding the Sabajo Hills;
2. Indigenous peoples of upper Para region (Kari'na and the Lokono in the Carolina bridge area) do not claim land in Newmont's Project Area and their traditional territory does not overlap the project area;
3. Saamaka people use land near Newmont's Project Area and some villagers speculated a right to claim land;
4. According to Kawina people, the Peace Treaty of 1760 (1761) is still valid and they recognize the territory upon which the Sabajo Project is located as their traditional territory;
5. The watershed of the Commewijne River and the watershed of the upper Suriname River are the natural borders for the Kawina and Saamaka, respectively;
6. The Commewijne River is still inhabited and the Tempatie and Little Commewijne creeks are still traditionally used by the Kawina people.

Subsequent interviews and field trips clarified the various claims<sup>5</sup> in the following manner.

### Kawina

Literature and data collected through interviews, focus group meetings and the field expedition, provide evidence of traditional collective habitation and use of land by the Kawina people within the Commewijne River area including the Tempatie, Little Commewijne and Mapane Creeks. The watershed of the Commewijne River belongs to the Kawina according to Kawina and as agreed by the Paamaka. This watershed includes the land upon which the Merian mill and tailings facility sits as well as the Little Commewijne Creek beyond Santa Barbara Hill<sup>6</sup> which is within the Sabajo Hills area. The Sabajo project is situated within the watershed of the Little Commewijne Creek. Kawina people

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<sup>5</sup> Validation meetings held with the Kawina and the Saamaka/Saakiiki communities confirmed the main findings regarding traditional land use and landclaims (See Chapter 8).

<sup>6</sup> Identified by the miners as one of the hill tops in Sabajo area

have been present in the area for at least 5 generations according to their own oral history, while literature demonstrates traditional occupation of the Commewijne watershed territory by the Ndyuka tribe since the first half of the 17th century. Kawina are members of the Ndyuka tribe and they fall under the traditional authority of the Ndyuka Granman. They live spread over several areas including the Tapanahony River, Cottica River and Commewijne River (Kawina River).

Because of the Interior war in Suriname (1986-1992), the Kawina people were forced to flee their communities. After the war, more than a hundred Kawina moved back to the original Kawina villages. A larger group was not able to do so because of lack of resources to rebuild the villages. Some people still maintain agriculture plots and practice hunting and fishing in the area, as well as logging and other economic activities. People are still brought to be buried on the land and other spiritual ceremonies and rituals are regularly practiced in their territory. As the Kawina do speak their own language, places and important cultural activities are named in their mother tongue. During school holidays, Kawina families travel from the city to stay in the villages. The Kawina people continue to consider the land as their collective territory.

According to the criteria and the international rights of Indigenous and tribal peoples, the Kawina land claim is valid.<sup>7</sup> Literature, maps and interviews demonstrate historical occupation and use of the lands and resources (criteria 1); maintenance of agriculture and other economic activities demonstrates development of their traditional subsistence (criteria 2); rituals and healing are practiced (criteria 3); and places and important cultural activities are named in their mother tongue (criteria 4).

Since the mapping expedition was limited in time, the team was not able to reach Newmont's project area via the Little Commewijne creek. This was approximately 5 km away. Throughout the excursion, an elder was able to name places and share narratives about traditional use and occupation and the team demonstrated knowledge of the territory. Very near to the end of the excursion, fewer names were given to places and the creek became very dense. According to the narratives, this spot holds some taboos but the whole Commewijne creek was in use by Kawina as told by them.

#### Saamaka/Saakiiki

Literature as well as data collected through interviews and focus group meetings with Saamaka/Saakiiki community members do not indicate that the Saamaka/Saakiiki people have traditional collective habitation and use of the territory at Sabajo Hills. The speculation of some

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<sup>7</sup> Just like any human society, indigenous peoples –and the communities that compose them- have their own history. They are dynamic human groups, who reconfigure themselves over the course of time on the grounds of the cultural traits that distinguish them. Indeed, indigenous and tribal peoples' culture is continually adapting to historical changes; indigenous and tribal peoples develop their cultural identity over time. In this sense, the IACHR has recognized, for example, that Guatemalan indigenous peoples, in spite of the ethnic discrimination to which they have historically been subjected, "whether they live in rural or urban areas, they maintain an intense level of activity and social organization, a rich culture, and are continuously adapting to situations imposed by the exigencies of historical change, while protecting and developing their cultural identity" [IACHR, *Fifth Report on the Situation of Human Rights in Guatemala*. Doc. OEA/Ser.L/V/II.111, Doc. 21 rev., April 6, 2001, Chapter XI, par. 4].

members of the Saamaka community made during the first validation meeting that they might have land rights was not validated by further research results. According to interviews Saamaka/Saakiiki as community do not claim land around the Sabajo Project Area. Literature, maps or interviews do not indicate historical occupation and use of the lands and resources (criteria 1) or development of traditional subsistence (criteria 2). Further research was not conducted.

#### Paamaka

Literature, as well as data collected through interviews with representatives of the Paamaka community, show an overlap of historical habitation and use of land with the Kawina people. Before the Kawina people landed at the Commewijne River and Tempatie Creek, the Paamaka did inhabit and use these lands for a short period. The Paamaka explain that they have travelled to the East and now live along the Marowijne River. They recognize that they left the land and did not make use of it any longer. Paamaka do not claim the Commewijne River area and they also acknowledge that the mountain ridge of the Nassau Hill (which also passes through the Merian Mine) is the border between their area and the area of the Kawina people. Tempatie Creek is clearly in the watershed of the Commewijne River. The Paamaka recognize that the Merian Mine area is on the border between Kawina and Paamaka territory. The watershed should define the exact border.

According to the criteria, and as such the international rights of Indigenous and tribal peoples, and as confirmed by Paamaka during interviews, Paamaka do not claim land around Sabajo Project area. Literature and interviews demonstrate historical habitation and land use in the Commewijne River area, including Tempatie Creek (criteria 1) but these are no longer inhabited or used by Paamaka and development of traditional subsistence in the Commewijne River area did not take place (criteria 2). Criteria 3 and 4 are not relevant.

#### ***Traditional Protocols***

Traditions of several Surinamese tribes show similarities but they do also have differences. Because of the outcome of the first part of the study, the focus for the second part of the study is on Ndyuka tradition, ceremonies and experiences, as they relate to protocols of engagement and agreement making. Also included are proposals that are brought in as contemporary use in existing circumstances. The key findings are as follows:

- Ndyuka use a matrilineal sequence method to determine succession of a captain. Preferably the Granman (paramount chief of tribe) and captains are chosen from the same 'lo' (family line) as their predecessor. However, politics sometimes has a big influence on the designation of a captain due to the government's ability to also appoint captains. This is against the tradition and it is breaking up important structures of the Ndyuka society.
- The authority of captains and basyas was more prevalent before the Interior War (1986-1992). Today, traditional authority still exists formally but is difficult to practice since most Kawina people now live in the capital city of Paramaribo. For traditional communities, the institution of the village meeting, called a Krutu, is very important. Depending on what is on the agenda, captains and/or head captains are present and leading the Krutu. Only at very important

decisions the Granman is present in a krutu. The conversation is led by a basya. Another moment when village matters are discussed is during the burial ceremony. Traditionally, villagers come together in the evening as long as the burial has not taken place. If necessary, the captain and other leaders traditionally make use of this moment to speak up to their villagers. But also if necessary, in case of issues at the village or regional (Kawina) level, captains will organize a krutu in Paramaribo to discuss with villagers. Kawina also make use of a local radio station to invite villagers to meetings.

- Although individual captains are criticized for not fairly distributing community benefits, the institution of the traditional authority is still very alive, so the strength of this institution is relevant:
  - Captains are selected through their matrilineal kinship line and appointed through their traditional structures that have a broad support system;
  - One cannot bypass captains in making an agreement on behalf of a village since the institution of traditional authorities is still respected; agreements with Kawina peoples as a group should be discussed with the Granman of the Ndyuka tribe out of respect. He wants to be informed and will decide on the process after being informed;
  - In relation to Newmont's project development, the Granman clearly explained that agreement making is part of the engagement and negotiation process of Kawina people themselves; Kawina can make their own decision related to agreements<sup>8</sup>; and
  - Captains are expected to have internal meetings between the traditional authorities and with the communities (each captain in his own village).
- Three Community Based Organizations (CBO's) coordinated efforts to rebuild villages: Uma Holi Tanga, Kawina Pikin and Stichting Wederopbouw Commewijne (Foundation for the rehabilitation of Commewijne). All organizations have made efforts for a few years, but not having sufficient finance on a community level and not having the support of the traditional authorities together with the lack of support of donor organizations, means that the CBO's are not active at the moment.
- Related to any agreement making efforts between Newmont and communities, the Granman of the Ndyuka proposed to establish a commission consisting of traditional authority, men, women, youth and miners from villages as well as an expert. Agreements, including unwritten agreements, are sacred. The Granman emphasized that during marronage (slaves revolting against, and fleeing from, slavery) both the peace treaties and the oral agreements were held in high regard<sup>9</sup>.

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<sup>8</sup> It is important to follow the traditional protocol and start consultations with the Granman and let him explain that Kawina can make decisions regarding their 'own development' (wording of Granman).

<sup>9</sup> Formal meetings with the Granman will still need to take place.

## RECOMMENDATIONS

The following suggestions should be considered by Newmont in the process of engagement and negotiation with the Kawina people<sup>10</sup>:

- Communities should be approached through the traditional structures. The Granman is the highest in hierarchy of traditional authorities of Ndyuka, as well as all other Maroon tribes. Show respect for this institution and always inform the Granman and hold discussions with him first, unless he decides otherwise. Since making direct contact with the Granman is not respectful, he should be contacted through his secretary, captain or basya.
- Adopt the Granman's decision regarding engagement and decision making processes:
  - Keep the Granman informed;
  - For decisions related to Kawina communities, direct contact with Kawina is recommended; and
  - Create a transparent process for establishing a multi-stakeholder committee of Kawina traditional authorities, villagers and experts that can represent them in discussions.
- Show respect for the Krutu institution. It is the most important structure for decision making processes. Internal meetings might take a while because krutu's can be long, so take enough time in consideration when planning a meeting.
- Create a consultation structure to advise the company on taking consecutive steps in engagement and on sharing of cultural and gender sensitive information. The composition of the structure might be different for each subject, but certain key persons are permanent. Another formulation might be; establish a permanent team (committee) and depending on the subject experts, rights holders and others will be added to this team. Facilitation of adequate and efficient information sharing is a key to success.
- Provide committees on each level (village and tribe) with leadership training and capacity building on rights of tribal peoples, negotiation, project management, project finances and other subject/issues they consider important. Capacity building workshops should be culturally sensitive and structured according to their customs, capabilities and perspectives.
- Provide access to legal and other experts selected by the Kawina people; for the benefit of Kawina as well as the company, a committee which is representative for the villagers needs strong leadership.
- Make sure communities feel comfortable and understand what is at stake. Include not only company experts in this process but also independent experts with knowledge of tribal people's culture and rights. Engagement is a two way stream; positions, perspectives and interests are different, and communication should not be limited to messages from the company to the community, but also include thoughts from the community to the company.
- Make sure that the position and the rights of the Kawina are considered in all processes. When the company apply the FPIC proces, this proces must be meaningful and from a landrights perspective<sup>11</sup>.

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<sup>10</sup> These recommendations are based on information gathered through interviews with Kawina and literature study and they are formulated by the consultants.

<sup>11</sup> See also 'Free, prior and informed consent (FPIC) within a human rights framework: Lessons from a Suriname case study', Sustainable Minerals Institute, University of Queensland, in summary on page 18/19.

- Provide forums for information sharing and interactions between members of Kawina communities, company representatives and government officials<sup>12</sup>.

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<sup>12</sup> See also '*Determining our Future, asserting our Rights: Indigenous Peoples and mining in West Suriname*', A collaborative project between The Association of Indigenous Leaders in Suriname (VIDS) and The North-South Institute (NSI), in VIDS/NSI Project Finding #4: Company/Government/Community Interactions: Lessons Learned? on page 44/45.

## 1. INTRODUCTION

Newmont Suriname LLC “Newmont”, a subsidiary of Newmont Mining Corporation, commenced construction of its first mine in Suriname – the Merian mine - in August 2014. A potential new mineral resource called Sabajo has been identified that could potentially provide ore to the Merian Mill. The Sabajo expansion would include a mine pit, a waste rock storage area, ore stockpiles, an operations camp, and a minor maintenance facility. It would also require the development of a transportation corridor to transport the mined ore to the Merian mill from the Sabajo expansion. The Sabajo project is located about 35km to the east of the Afobaka dam and in the most southern tip of Para District.

To evaluate the potential impacts associated with the development of the Sabajo Project and to address the issues and concerns raised by stakeholders, an Environmental and Social Impact Assessment (ESIA) will be prepared for the Sabajo Project<sup>13</sup>. One of the studies that contributes to the ESIA is “A Historical Narrative of Traditional Lands around the Newmont Sabajo Project”. The report at hand presents the results of this study.

### 1.1. Objectives, strategy and main tasks of study

The narrative study is meant to understand the knowledge and experiences from the people (stakeholders) themselves; from their cultural perspective, about the land, or territory they traditionally occupy and use. It focuses on the area of occupation, villages and settlements, and land used for agriculture, hunting, fishing, gathering, transportation, cultural and other purposes, and enables conclusions about land claim based on UNDRIP (United Nations Declaration on the Rights of Indigenous Peoples) and ADRIP (American Declaration on the Rights of Indigenous Peoples). The narrative study also identifies adequate culturally sensitive engagement and decision making processes with rights holders.

#### Scope and objectives

The objective of the research was to identify traditional land ownership in the project area, which encompasses the area of proposed mining activities and the proposed hauling road; the research did not undertake determination of tribal boundaries, but only whether the project is situated within traditionally owned land.

It addresses two requests posed by Newmont:

- Determine and document whether traditional ownership or land use is present in the project area and if so whom should be recognized
- If traditional ownership is recognized, identify traditional protocols for engagement and agreement making with the traditional owners.

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<sup>13</sup> Golder Associates/Newmont Suriname (June 2017). *Environmental and Social Impact Assessment Study of the Sabajo Expansion of the Merian Gold Mine in Suriname*. Draft Scoping Report and Terms of Reference. Report No. 1669326.

Newmont's strategy to finding the answers to these questions was to undertake a process of research, which included collection, analysis and validation of existing documented information and collection of non-documented information. The study sought to take a highly participatory approach, building on the knowledge of the various Maroon Tribes and indigenous peoples around the Sabajo Project; the *Saamaka*<sup>14</sup>, the *Kawina* (as part of the *Ndyuka tribe*<sup>15</sup>), the *Paamaka*<sup>16</sup> and the *Kari'na* and *Lokono*.

## 1.2. Methodology and design

The study was designed in two parts. The first part focused on literature review and the validation of maps through participatory exercises with the four groups of Indigenous and Tribal Peoples identified. The second part of the study was built on the initial findings of the first part and concentrated on assessing the Kawina land claim in the project area (including part of the Merian Project) and their traditional structures. The study also sought to address the validity of the Kawina land claim, more specifically near the Merian mine and to rule out the possibility that other Tribes could make a claim.

Discussions were primarily qualitative and targeted subgroups within communities like women, youth, elderly, traditional authorities and community organizations. An additional field expedition and mapping of the Little Commewijne Creek by boat and a visit to Granman<sup>17</sup> Bonno Velanti of the Ndyuka tribe were also part of the process.

The rights based approach as defined and described in the United Nations Declaration of the Rights of Indigenous Peoples<sup>18</sup> and in the American Declaration of the Rights of Indigenous Peoples<sup>19</sup>, are at the fundament of the design of the approach and methodology for the complete study. The figure below shows the main tasks of the study and the link between phase I and phase II of the Project.

### Methodology of Phase I

Research for this phase was conducted during May and June 2017 and included:

#### a. Review of existing information

Desktop research mainly took place by searching for existing information in libraries (*Anton De Kom* University, Planning Office and the library of the Cultural Center Suriname (*Cultureel Centrum Suriname*), on the internet, and through the professional network of the consultants. The review concentrated on:

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<sup>14</sup> The Saamaka, Saramaka, or Saramaccaners, for consistency this report uses the name "Saamaka".

<sup>15</sup> The Ndyuka or Aukaners or Okanisi. The Ndyuka living in the Commewijne River area call themselves "Kawina". The word Kawina is used by the Maroons to refer to the Commewijne River, the Commewijn River area and to the Ndyuka living in the Commewijne River area.

<sup>16</sup> The Paamaka, Paramaka or Paramaccaners, for consistency this report uses the name "Paamaka"

<sup>17</sup> Highest authority of a tribe.

<sup>18</sup> <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

<sup>19</sup> <http://www.iitc.org/program-areas/treaties-standard-setting/the-oas-american-declaration-on-the-rights-of-indigenous-peoples/>

- Maps, reports and literature on the history and culture of Indigenous and Tribal People (ITP), specifically: the Ndyuka in the Kawina River (Commewijne River) area, the Saamaka in the Brokopondo area to the west of the project area, the Paamaka in the Marowijne River area east of the project area, and the Karin'a and Lokono in East Para to the North of the project area.
- Traditional occupation and land use of Tribal and Indigenous Peoples.
- Rights based approaches and traditional land use definitions.

### Main tasks of the study

#### PHASE I – DESKTOP STUDY

1. Literature review regarding the history of Ndyuka (to which the Kawina belong) including peace treaties and reviews of historical maps.
2. Participatory mapping validation meetings with four tribal and indigenous groups.
3. First description of the history of the land and people where the project is located and of the extent of the traditional land use area of the groups that have traditionally resided in the project area.

#### Intermediate results

Land rights claims identified  
Extend of land use area & types of use determined

#### PHASE II – DESKTOP STUDY, CONSULTATION AND FIELD EXPEDITION

4. Semi-structural interviews and storytelling sessions with individuals and focus groups.
5. One-day workshop and five-day field mapping expedition on the Little Commewijne Creek.
6. Two-day visit to the Granman of the Ndyuka tribe to verify collected data about the watershed and territory of Ndyuka in general and Kawina specifically, and to get his opinion on (traditional) protocols.
7. Report including: (i)description of history and traditional land use area, traditional social structures and decision making paradigms of tribes, and intangible heritage of tribes, (ii)Assessment of the capacity of the tribe to engage in negotiations with the company and (iii) Suggestions for discussions between Newmont and tribe(s) over company land use.
8. Validation meetings.

#### Final Result

Traditional owners identified  
Traditional protocols for engagement and agreement making determined

It appeared that for all the communities identified as possible rights holders, maps presenting their traditional territory had already been designed. All these maps were developed with the participation of the communities and/or with the mandate and participation of organisations representing them. The three maps are as follows:

1. Saamaka: *“Schetskaart ter afbakening Samaaka gebied”* (Sketch map for demarcation of Saamaka territory (probably designed in 2007).  
This map was developed by the Association of Saamaka Village Leaders (*Vereniging van Saramakaanse Gezagsdragers - VSG*). It shows the lands they traditionally use and occupy and which are critical to their physical, cultural and spiritual vitality.
2. Ndyuka: Land use map of the communities living at Opu Kawina Liba (Liba = River) beginning at Boti Kiiki (Kiiki or kriki = creek) in the north-east up to Olandi in the south-west and from Nason (Nassau Hills) and Lely Hills in the south-west and Sarwa Kiiki in the east.  
This map was developed with the mandate of the Ministry of Regional Development and with the support of the “Support for the Development of the Interior Program” (SSDI). The map was produced by the Amazon Conservation Team (ACT) with the aid of base-maps of the Central Bureau for Aerial Mapping (*Centraal Bureau van Luchtkartering - CBL*) and USGS hydro sheds<sup>20</sup>, in addition to information collected by the community of the Java village along the Commewijne River<sup>21</sup>.
3. Karin’a and Lokono: Demarcation Map of 6 Indigenous villages in Eastern Para.  
This map was developed by the Association of Indigenous Village Leaders in Suriname (*Vereniging van Inheemse Dorpschoufden in Suriname – VIDS*). It was part of the implementation of the “Mapping and management of indigenous communities’ lands and resources in Eastern Para region” project, financed by the World Wide Fund for Nature (WWF) and implemented during 2014 – 2016.

Design of these three maps was based on maps of the Central Bureau of Aerial Mapping. Besides these maps Newmont developed and provided a map of the Sabajo project area. The consultant projected the location of the villages on the 3 maps listed above onto the Newmont map and used this as a discussion tool at the validation meetings. Copies of the maps are included as Annexes 1, 2 and 3.

b. Validation of maps with representatives of communities

Review of maps resulted in the selection of 3 groups of communities to be consulted for the validation of maps: the Saamaka Maroon communities at Afobaka road, the Brokopondo center and the Afobaka center; the Ndyuka Maroon communities in the Commewijne River area, and the Lokono and Karin’a indigenous communities in Eastern Para. Validation sessions were arranged in three separate meetings in which a total number of fifty (50) representatives participated:

<sup>20</sup> United States Geological Survey - Hydrological data and maps based on SHuttle Elevation Derivatives at multiple Scales

<sup>21</sup> Source: Tekst on the map itself

- June 13, 2017 - Saamaka communities at the Brokopondo Multifunctional Centre,
- June 14, 2017 - Kawina communities at the BEP center in Paramaribo,
- June 15, 2017 - Karin'a and Lokono at Pierre kondre in Eastern Para.

At the meetings the map with the projection of the traditional territories onto the Newmont Sabajo project area was presented to the representatives of the communities. Participants inspected the maps closely, and were provided with the opportunity to comment on them. The participants were then asked if they agreed that the projected traditional area on the map was correct and indeed presented their traditional lands. If they did not agree they had the chance to motivate their position. Participation of the members of communities was excellent, and every member had the chance to speak their mind. The lists of participants at the 3 meetings are attached as Annexes 4, 5 and 6. The detailed results of the meeting are listed in Annex 7 while Annex 8, 9 and 10 provide a summary of the opinions, arguments and information shared by the representatives of each community.

## Methodology of Phase II

For this baseline study it was important to understand the unique relationship of communities with their traditional territory. According to the Inter-American Commission on Human Rights (IACHR) we need to understand "the traditional use or presence, maintenance of sacred or ceremonial sites, settlements or sporadic cultivation, seasonal or nomadic gathering, hunting and fishing, the customary use of natural resources or other elements characterizing indigenous or tribal culture", of mentioned groups.<sup>22</sup> Keeping IACHR in mind, preliminary desktop study and the validation exercise resulted in the following preliminary findings:

1. Indigenous peoples of upper Para region, as well as Paamaka and Ndyuka, including Kawina, recognize that Indigenous peoples are the first inhabitants of the territory surrounding the Sabajo Hills;
2. Indigenous peoples of upper Para region (Kari'na and the Lokono in the Carolina bridge area) do not claim land in Newmont's Project Area and their traditional territory does not overlap the project area;
3. Saamaka people use land near Newmont's Project Area and some villagers speculated a right to claim land during the validation meeting;
4. The watershed of the Commewijne River and the watershed of the upper Suriname River are the natural borders for the Kawina and Saamaka respectively;
5. The Commewijne River is still inhabited and the Tempatie and Little Commewijne creeks are still traditionally used by the Kawina people, and;
6. According to Kawina, the Peace Treaty of 1760 (1761) is still valid and they recognize the territory upon which the Sabajo Project is located as their traditional territory.

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<sup>22</sup> Inter-America Commission on Human Rights, OEA/Ser.L/V/II. Doc. 56/09 30 December 2009: *Indigenous and Tribal Peoples; Rights over their Ancestral Lands and Natural Resources. Norms and Jurisprudence of the Inter - American Human Rights System*

Based on the preliminary findings of Phase I it was decided that in phase II the review of literature on the land and history of communities (chapter 3) would focus more on the Kawina people and much less on the Saamaka. The consultation with the Kawina people would be more extended than the consultation with the Saamaka and Paamaka people and focus on their approval and/or substantiation of these findings.

Research for Phase II was conducted from July to September 2017 and included:

a. Historical Narrative through interviews and focus group discussions

Following the instructions by Newmont, interviewees were selected by local resource persons who were put forward by the Traditional Authorities. The research team had no influence in the appointment of the resource persons and the selection process of interviewees and assumed that interviewees were representatives of the target groups. The target groups (traditional authorities, men, women, youth, elder, miners, loggers) were defined by the consultants.

The consultation included sixty-five (65) in-depth face to face interviews and focus group discussions with representatives of: (i) Ndyuka villages in district Para along the Commewijne River, (ii) Saamaka/Saakiiki<sup>23</sup> villages in Brokopondo district along the southern part of the Suriname River and above (north of) the Brokopondo Lake and (iii) with Paamaka villages in district Sipaliwini along the Marowijne River and south-east of the Merian mine, and with the Granman of the Ndyuka tribe in Drie Tabiki at the Tapanahony river. The need for this further research was supported by the United Nations Declaration on the Rights of Indigenous People<sup>24</sup> (UNDRIP), specifically article 25, 26, 27 and 28 (Annex 11). The table in Annex 12 provides an overview of the number of interviews.

Taking a narrative approach inevitably includes some parameters:

- Different perceptions and opinions the story cannot be told from one person's perspective (as is often the case with narrative stories). Instead the stories, opinions or experiences of a number of different individuals are described one after another. Generally the respective chapters first present a short analysis of interviews followed by a few quotes from interviews in textboxes.
- To keep the narrative/storytelling character, the translation of quotes from the native language to English was done as literally as possible while at the same time trying to comply with the rules for English sentence structure and grammar.
- The names by which the interviewees know places and rivers are often in their original language. To keep the spirit of the story many times names and other words are also used in the original language of the interviewee. Because the text is full of words in the native language of the interviewees, it was decided (for these native words) not to follow the general rule for words in

<sup>23</sup> 1. The selection of villages was based on their geographic location; those villages closest to Newmont's project Area in Sabajo Hills were chosen. Only while taking the interviews it appeared that many of the members of all 3 villages belong to the Misidjan-lo and Oto-lo. These are not Saamaka-lo but Ndyuka-lo and are called the Saakiiki people. The territory is under the authority of the Saamaka Granman. At the same time Granman Velantie of the Ndyuka tribe remains the Granman of the Ndyuka who live in Saamaka.

2. The Saakiiki are Ndyuka from migration villages.

<sup>24</sup> <http://www.unesco.org/new/en/indigenous-peoples/related-info/undrip/>

another language included in an English text (that is, to use italics or quotation marks) because this would make the text chaotic. Therefore:

- italics are only used for quotations of whole sentences in another language than English,
  - quotation marks are primarily used for quotes from literature,
  - quotations of stories from interviewees translated in English are presented in textboxes.
- The official names used by the government for the three tribes involved are Aukaners, Saramaccaners and Paramaccaners. The people from these villages however have their own pronunciation of their tribe’s names. The Aukaners call themselves Ndyuka. The specific Ndyuka villages involved in the study are all in the Commewijne River area, and the people refer to themselves as Kawina People (Kawina stands for Commewijne) and they call the river the Kawina River. The Saramaccaners refer to themselves as Saamaka and the Paramaccaners refer to themselves as Paamaka. It was decided to use the names which the communities use to refer to themselves in these chapters: the Kawina the Saamaka and the Paamaka.
  - The name “Kawina” is alternately used (by the interviewees) to refer to the Commewijne River or to the surrounding land or to the people who live there and belong to the Ndyuka tribe. To prevent confusion “Kawina people” is used to refer to people, and Kawina River, or Kawina area to refer to the river or the land in this document. The people of the Ndyuka tribe live along several rivers, and often they refer to themselves with the name of the river or creek where they live. The table below provides an overview of all the groups of Ndyuka with the river where they live and the name by which they refer to themselves. These names are merely a way to refer to the location where they live.

Ndyuka Tribe	
Name of the river	Name by which the people refer to themselves and the area
Tapanahony	Tapanahony
Marowijne	Foedoe ini
Cottica	Cottica
Commewijne	Kawina
Suriname	Saakiiki
Saramacca	Totikamp

*Source: Experts on Maroon Peoples*

**b. Additional mapping: expedition on the Little Commewijne Creek**

Based on interview results it was decided to undertake a five day mapping exercise of the Little Commewijne Creek<sup>25</sup> with the purpose to visualize the extent of traditional habitat and land used by

<sup>25</sup> Initially it was recommended by the consultant to include the Temaptie Creek in the expedition. Due to budget and time constraints it was decided in consultation with Newmont not to include Tempatie.

Kawina communities for their livelihood. The expedition team consisted of five Kawina men, supported by a chain saw expert, a consultants' team member and an employee of Newmont's Social Responsibility Department. The expedition took place from August 25 - 29<sup>26</sup>. An elder at the age of 76 and born in Mungotapu, acted as the main guide and informant of the expedition.

The mapping process was guided by an expert in mapping of traditional territory and the approach was as follows:

- Step 1: Identification of traditionally inhabited and used land of Kawina communities and names of places of importance from storytelling and focus group discussions.
- Step 2: Training of members of communities in GPS skills and in working with log forms, and explanation of the process of the development of the map (GIS-system). Training participants were selected by the communities.
- Step 3: Planning of an expedition on the Little Commewijne Creek with community members who have detailed knowledge of the territory, such as hunters and fishermen.
- Step 4: Implementation of GPS field work - collecting data (location coordinates) in the identified territory by the trained participants with guidance from the community members with knowledge of the area.
- Step 5: Data processing - collected data on the log forms was administered and fine-tuned before sending it to the GIS specialist for the development of the map.
- Step 6: Map design by an expert on mapping of traditional territories
- Step 7: Verification of the new map by the communities (in January 2018).

During the expedition several villages and places of importance were identified and the expedition guide shared several stories and information as the expedition moved on. Financial but especially time limitations prevented the expedition team to reach the landmark they planned to reach - which was near Santa Barbara. According to those who know the area, this would have taken another day, or an additional 5 km of traveling by boat. As such, the mapping of the Little Commewijne Creek was not completed. The table in Annex 13 contains the names of places or landmarks along the Little Commewijne as identified and explained by the expedition guide, Annex 14 provides a Map of the same and Annex 15 provides a report of the expedition.

c. Visit to the Granman of the Ndyuka

A two-day visit to Granman Bono Velantie of the Ndyuka tribe (as the highest authority of the tribe) was conducted on September 7-8, 2017 to verify collected information such as the methods of setting borders, the traditional territory of Ndyuka in general and Kawina specifically, his opinion on (traditional) protocols and his advice for negotiation and agreement making with Newmont. The results of the discussion with the Granman are included in the relevant chapters while a complete report of the discussion is included as Annex 16.

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<sup>26</sup> The expedition took 5 days because the creek was overgrown and full of obstacles such as fallen trees while the water level was low. When the creeks are clean and the water level is higher it takes only one day to cover the same distance by boat. According to the Kawina the creek is not used as much anymore because nowadays they make use of the roads to travel to these areas.

### 1.3. Structure of the report and project-staffing

The structure of the report is as follows:

- Chapter 1 provides information about the purpose of the research and the methodology used.
- Chapter 2 shortly describes relevant international law on determination, occupation and use of traditional land
- Chapter 3 presents an overview of written history of Maroons, especially of the Ndyuka from the Commewijne area and the Saamaka communities from the Afobaka Road area, as well as the history of the Kawina people as narrated by their representatives during interviews. It covers the periods after slavery, before, during and after the interior war and focuses on settlements and movements.
- Chapter 4 describes the traditional land use area of especially the Kawina people, but also (shortly) of the Saamaka people and the Paamaka people in the areas of research. The focus is on land use, traditional living space, borders and land use conflicts.
- Chapter 5 covers the traditional social structures and customs (lineage systems and concepts of family and village membership), means of livelihood and the intangible heritage with a focus on heritage that communities want to keep.
- Chapter 6 focuses on the traditional governance structures, decision-making and law; traditional systems, changes in systems and the role of women,
- Chapter 7 provides suggestions of communities on discussion over company land use; stakeholders, engagement strategies and capacity of communities to negotiate.
- Chapter 8 concludes with the recommendations for negotiation and agreement making.

#### **Staffing**

The project staff consisted of two experienced senior consultants: Marie-Josée Artist as lead researcher and Florence Rijdsdijk as research expert. Three (3) highly educated interviewers who speak the local language and have experience in working in these communities were added to the team in phase II as well as an expert on mapping of traditional territories.

## 2. INTERNATIONAL LAW ON DETERMINATION, OCCUPATION AND USE OF TRADITIONAL LAND

Desktop research did not result in the identification of literature that could support or clarify land determination on the identified existing maps of the 3 groups of villages. Even though the narrative study is not meant to make a legal analysis on land rights and land claims, the possible claim of land by communities for different reasons made it necessary to look into international law regarding the land rights of Indigenous and Tribal Peoples (ITP) and different types of land use and land determination. This chapter provides a short explanation on relevant international law.

### 2.1. Land, Territory and Resources

The Inter-American Commission on Human Rights (IACHR) has acknowledged the value of the legislative incorporation of “a broad concept of indigenous land and territories, wherein the latter category includes not only physically occupied spaces but also those used for their cultural or subsistence activities, such as routes of access”, finding “this approach to be compatible with the cultural reality of indigenous peoples and their special relationship with the land and territory, as well as with natural resources and the environment in general.” The occupation of a territory by indigenous people or a community is thus not restricted to the nucleus of houses where its members live; “rather, the territory includes a physical area constituted by a core area of dwellings, natural resources, crops, plantations and their environment, linked insofar as possible to their cultural tradition.” In this same sense, the relationship between indigenous peoples and their territories is not limited to specific villages or settlements; territorial use and occupation by indigenous and tribal peoples “extend beyond the settlement of specific villages to include lands that are used for agriculture, hunting, fishing, and gathering, transportation, cultural and other purposes,” therefore indigenous and tribal peoples’ rights encompass the territory as a whole.<sup>27</sup>

Regarding indigenous and tribal peoples’ rights over lands and natural resources, IACHR affirms: “traditional land tenure is linked to a historical continuity, but not necessarily to a single place and to a single social conformation throughout the centuries. For such reason, the specific location of settlements within ancestral territory does not determine the existence of the rights; there may have been movements of the places of settlement along history, without hindrance to the American Convention’s protection of the corresponding property rights. Ultimately, as explained above, the history of indigenous peoples and their cultural adaptations along time are not obstacles for preserving their fundamental relationship with their territory, and the rights that stem from it.”<sup>28</sup>

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<sup>27</sup> Inter-American Commission on Human Rights, *Indigenous and tribal peoples’ rights over their ancestral lands and natural resources*. OEA/Ser.L/V/II. Doc. 56/09 30 December 2009

<sup>28</sup> See footnote 26

## 2.2. Indigenous and Tribal Peoples Rights

Taking a rights-based approach towards assessing traditional land rights is specifically reflected in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Inter-American Declaration on the Rights of Indigenous Peoples (IADRIP), where resp. article 24 to 29 (UNDRIP) and section V, article XXV (IADRIP) directly address the rights of Indigenous peoples' land, territories and resources. The Committee on the Elimination of Racial Discrimination (CERD)<sup>i</sup> urges the State Party (Suriname) in 2009 to "ensure legal acknowledgement of the collective rights of indigenous and tribal peoples -known locally as Maroons and Bush Negroes- to own, develop, control and use their lands, resources and communal territories according to customary laws and traditional land tenure system and to participate in the exploitation, management and conservation of the associated natural resource."<sup>29</sup>

Indigenous (*Ed. and tribal*) peoples in Suriname have property rights over territory extended in principle over all of those lands and resources that indigenous (*Ed. and tribal*) peoples currently use, and over those lands and resources that they possessed and of which they were deprived, with which they preserve their internationally protected special relationship – i.e. a cultural bond of collective memory and awareness of their rights of access or ownership, in accordance with their own cultural and spiritual rules.<sup>30</sup>

This is reflected in the determination of the criteria for the identification of traditional land rights (referred to as "the criteria" in the remainder of this document):<sup>31</sup>

1. Evidence of the historical occupation and use of the lands and resources by members of the community;
2. Evidence of the development of traditional subsistence;
3. Ritual and healing practices therein; and
4. The names given to the area in the community's language.

The approach applied during research was designed to verify the validity of potential traditional land rights claims against these criteria.

The Judgment of the Inter-American Court of Human Rights on the Saamaka Lo against the State of Suriname, 28 November 2007, also determines that the Saamaka are tribal peoples and as such these rights apply to them. According to Mackay<sup>32</sup> (2010) this decision of the Inter-American court (Saamaka Lo against the State of Suriname) exceeds this specific case and applies to all indigenous and tribal peoples in Suriname and the entire North and South American continent. Tribal peoples

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<sup>29</sup> CERD/C/SUR/CO/12 3 March 2009

<sup>30</sup> Inter-America Commission on Human Rights, OEA/Ser.L/V/II. Doc. 56/09 30 December 2009, *Indigenous and tribal peoples' rights over their ancestral lands and natural resources. Norms and Jurisprudence of the Inter-American Human Rights System*, p. 31

<sup>31</sup> These criteria are determined for this study and especially based on chapter V. Indigenous and Tribal Property Rights: General Considerations, paragraph C. and D. in: Inter-America Commission on Human Rights, OEA/Ser.L/V/II. Doc. 56/09 30 December 2009: *Indigenous and Tribal Peoples' Rights over their Ancestral Lands and Natural Resources. Norms and Jurisprudence of the Inter - American Human Rights System*

<sup>32</sup> Fergus Mackay (2010). *Saamaka, de strijd om het bos - Saamaka, the fight for the forest - 2010 KIT publication.*

are peoples who are “not indigenous to the region [they inhabit], but who share similar characteristics with indigenous peoples, such as having social, cultural and economic traditions different from other sections of the national community, identifying themselves with their ancestral territories, and regulating themselves, at least partially, by their own norms, customs, and traditions” (Article 1.1. (a), ILO Convention No. 169).

According to the International Labor Organisation (ILO), the objective elements of tribal peoples include (i) a culture, social organization, economic conditions and way of life that are different from those of other segments of the national population, for example their livelihoods, language, etc.; and (ii) distinctive traditions and customs, and/or special legal recognition. The subjective element consists of the self-identification of these groups and their members as tribal. (Article 1.2, ILO Convention No. 169).<sup>33</sup>

### 2.3. Collective Rights

Fundamental to indigenous peoples and relevant to land, territories and resources are the collective rights of indigenous and tribal peoples. According to ADRIP section two, article VI “Indigenous peoples have collective rights that are indispensable for their existence, wellbeing, and integral development as peoples. In this regard, the states recognize and respect the right of the indigenous peoples to their collective action; to their juridical, social, political, and economic systems or institutions; to their own cultures; to profess and practice their spiritual beliefs; to use their own tongues and languages; and to their lands, territories and resources (...)”.

Indigenous peoples have the right to legal recognition of their diverse and specific forms and modalities of control, ownership, use and enjoyment of their territories, “springing from the culture, uses, customs, and beliefs of each people.” Their unique relationship to traditional territory may be expressed in different ways, depending on the particular indigenous people involved and their specific circumstances. “It may include the traditional use or presence, be it through spiritual or ceremonial ties; settlements or sporadic cultivation; seasonal or nomadic gathering, hunting and fishing; the use of natural resources associated with their customs and any other element characterizing their culture.” These modes of using territory are protected by the right to property.<sup>34</sup>

### 2.4. Relevance to determining land rights

It is important to emphasize that this study is not a legal analysis of the probable landclaims of communities. The criteria used to determine the traditional occupation and use are selected based on the expertise of the researchers and the purpose of this research. Specific legal criteria are not included.

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<sup>33</sup> Although Suriname does not legally recognize ILO Convention No. 169, the Inter-American Commission based many decisions on articles in ILO 169.

<sup>34</sup> *Indigenous and tribal peoples' rights over their ancestral lands and natural resources*. Inter-American Commission on Human Rights, OEA/Ser.L/V/II. Doc. 56/09 30 December 2009

Suriname is one of the few countries in South America that has not ratified ILO Convention 169. Suriname has voted in favor of adopting the UN Declaration on the Rights of Indigenous Peoples in 2007, however the legislative system of Suriname - based on colonial legislation – still does not recognize Indigenous or tribal peoples, and Suriname has no legislation governing Indigenous peoples' land or other rights. This forms a major threat to the survival and well-being of Indigenous and tribal peoples, along with respect for their rights, particularly given the strong focus that is being placed on the development of Suriname's many natural resources (including oil, bauxite, gold, water, forests and biodiversity)<sup>35</sup>.

The judgment of the Inter-American Court of Human Rights in the Kari'na and Lokono against the State Suriname of 25 November 2015 and officially published on 28 January 2016, orders Suriname to, among others, legally recognize the collective property of the Kari'na and Lokono peoples to their traditional lands and resources, and their legal personality before the law in Suriname. In addition, the judgment also affirms the rights of the Kari'na and Lokono over the protected areas that were established in their territories and ordered a process for restitution or compensation for those lands. The Court decided in similar terms on third-party titles over Indigenous lands that have been given out without their consent. The State Suriname is also held to rehabilitate the area affected by bauxite mining in the Wane Creek Nature Reserve. The Kari'na and Lokono case was similar to the Saramaka and relevant parts of the Moiwana cases and because of this repetitious nature of Suriname's violations of Indigenous and tribal peoples' rights, the Court ordered similar measures for all Indigenous and tribal peoples of Suriname. These rulings are considered "binding" because the Government of Suriname ratified the Inter-American Convention on Human Rights in 1987 and as a result directly recognizes the Court's jurisdiction.

Indigenous and tribal peoples' land and territorial rights must be respected in line with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and in accordance with State obligations under related human rights instruments. The Government of Suriname is legally bound by rulings of the Government and even if land and territories of indigenous and tribal peoples are not legally determined, third parties, including extractive industries must recognize land ownership and use by these peoples in and around their project areas.

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<sup>35</sup> The Indigenous World 2017. The authors and The International Work Group for Indigenous Affairs (IWGIA), 2017.

### 3. HISTORY OF THE PEOPLE AND TERRITORY

The Kawina are the only group that unanimously claimed land in the project area, so it was relevant to look at the history of their movements and settlements in order to see how they ended up in their present villages and to get an idea of the land they have used to live on and for their livelihoods. This should help to understand if they have claims to lands, what type of claims they have, and how this is related to Newmont's project area. This chapter provides a short history of Maroons with the focus on the Kawina while the Saamaka and the Paamaka are described very briefly. Each paragraph first provides a short analysis of gathered information, followed by a few quotes from interviews (where applicable) and a conclusion on the paragraph.

#### 3.1. Written history of Maroons

##### Settlements after Liberation

The history of the Maroon Peoples in Suriname starts with self-liberation from slavery at the colonial plantations along the Suriname River since 1680. After self-liberation they increasingly moved southwards in the area between the Suriname River and the Saramacca River. They went on to form six politically autonomous societies: the Saamaka, Matawai and Kwinti of south-central Suriname, and the Ndyuka, Paamaka and Aluku of the southeastern region.<sup>36</sup> Around the middle of the 18th century several Maroon groups emerged in different parts of Suriname's interior, especially on the upper reaches of rivers with three main groups: the Ndyuka in the south-east near the Marowijne and Tapanahoni rivers; the Saamaka in the center, in the upper part of the Suriname basin; and the Matawai along the upper reaches of the Saramacca River.<sup>37</sup>

##### Peace treaties

Before the conclusion of the Peace Treaties, the Maroon tribes were self-regulatory. The leaders governed their communities on their own and they negotiated the peace treaties independently based on equality with the colonial rulers.<sup>38</sup> Between 1760 and 1767 the colonial government signed several peace treaties with three tribes: in 1760 with the Ndyuka<sup>39</sup>, in 1762 with the Saamaka, and in 1767 with the Matawai (or Matuariërs). The first treaty of October 10, 1760/1761<sup>40</sup> with the Ndyuka who were living along the Ndyuka Creek, stood model for all following treaties. Article 1 of this treaty reads as follows: "That all passed shall be forgotten and forgiven on this day, if they, the Bush negroes do not commit hostilities, but behave themselves as friends towards the government of these lands, all other residents, Jews as well as Christians, as well as their descendants, then they will be acknowledged as free people." Article 2 of the treaty determines the border between the

<sup>36</sup> André R.M. Pakosie, De Aukaners door en na 10 oktober 1760.

Aonghas St-Hilaire (2000) *Global Incorporation and Cultural Survival: The Surinamese Maroons at the Margins of the World-System*. Journal of world-systems research, vol vi, 1, spring 2000.

<sup>37</sup> André R.M. Pakosie, *Maroon leadership and the Surinamese State (1760-1990)*, Introduction, Commission on legal pluralism, <http://commission-on-legal-pluralism.com/volumes/37-38/pakosie-art.htm.html>

<sup>38</sup> André R.M. Pakosie, *Maroons and the government - the Aukaners after 10 October 1760*.

<sup>39</sup> In this report the name "Ndyuka" is used in general, but where the information is from literature, the name used in the source is used here too, especially when it regards quotes.

<sup>40</sup> There is a dispute among authors about the year.

Surinamese Colony and the territory of the Maroons.<sup>41</sup> The Maroons were “lord and master” in their own “country”. The treaty was probably concluded behind the plantation Auka<sup>42</sup> (named after the plantation owner) from where the peace walks to the Ndyuka Creek took off. This explains the name “Aukaners.” These Ndyuka were called the “*Complacent Bush negroes from behind Auka.*” According to Dusseldorp<sup>43</sup> the group consisted of about 1600 members.

After the end of the 1765 - 1793 war between the Boni rebellion group and the colony, the rebellion group was ultimately forced to move across the Marowijne River, which is the border river with French Guyana. Because of this rebellion, which lasted for almost a century, the plantations accumulated a lot of damage and with the addition of the financial setbacks resulting from the economic regression in the Netherlands and the rest of Europe, the number of plantations decreased dramatically in the 18<sup>th</sup> century. After Boni was heavily defeated in 1793, in which the Ndyuka played an important role<sup>44</sup>, a period of peace slowly set in, even though every now and then there were still problems on the plantations when negroes started rebelling or run away. In 1805 this period of peace was interrupted by a rebellion of the Corps of Black Hunters, which was strengthened by deserting soldiers who joined Boni, and supported by the Ndyuka in the form of housing and land to grow crops. In 1809 a new treaty was signed with the Ndyuka as a renewal and expansion of the 1760 treaty. In 1835 new treaties were signed with the Saramaccaners and in 1837 with the Ndyuka. The 19<sup>th</sup> century was characterized by a gradual increase of peaceful contact between the Bush Negroes and the government. In 1835, 1837 and 1838 the Dutch authorities renewed existing treaties in fear of Maroon attacks, fixing the limits between the Maroon tribal territories and coastal society.<sup>45</sup>

After Suriname acquired independence from Holland in 1975, these treaties were not adopted by the new Surinamese Republic, but on the other hand the treaties have never been canceled, and the older generations of Maroons keep invoking these treaties.<sup>46</sup>

### Relocation

Between 1958 and 1961, a dam was constructed as part of the construction a hydroelectric power plant south of Paramaribo on the Suriname River to provide electricity for an aluminum smelter. The dam flooded approximately one-half of traditional Saamaka territory to form the water reservoir for the hydro power units. The project was designed and implemented without consultation with- or the consent of the Maroons. It displaced 5,000 to 6,000 Saamaka and Ndyuka and twenty-one (21) Saamaka and five (5) Ndyuka villages were forced to relocate. The dam exposed the Maroons,

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<sup>41</sup> André R.M. Pakosie, *Maroon leadership and the Surinamese State (1760-1990)*, Introduction, Commission on legal pluralism. <http://commission-on-legal-pluralism.com/volumes/37-38/pakosie-art.htm.html>

<sup>42</sup> D.B.W.M. v. Dusseldorp. Scriptie voor Dr. v. Maersen, docent in de sociologie van tropische gebieden.

<sup>43</sup> See footnote 41

<sup>44</sup> According to Pakosie Boni belonged to the Aluku tribe. After he desecrated the grave of Granman Pamu of the Aukaners, the Aukaners declared war against Boni (just as the Colony did) and killed him during a offense at Pampugoon. Source: *Gazon Matodja, Surinamese tribe authority at the end of an era*. Andre, R. M. Pakosie, 1999.

<sup>45</sup> Aonghas St-Hilaire (2000) *Global Incorporation and Cultural Survival: The Surinamese Maroons at the Margins of the World-System*. Journal of world-systems research, vol vi, 1, spring 2000.

<sup>46</sup> André R.M. Pakosie (1989). *Arrogantie versus traditie, Paramaribo en het binnenlands gezag*, Speech at the celebration of the ‘Day of Maroons’ on September 30, 1989. De Gids jaargang 153 (1990).

particularly the Saamaka living north of the newly created lake, to greater contact with the urban life of Paramaribo.<sup>47</sup> Compensation to the Saamaka was only provided for the houses and fruit trees that they lost due to the flooding, but not for the land. The Head of the Department of Administration and Decentralization at the time, Law Professor A. J. A. Quintus Bosz, felt that this was legally not required as the Saamaka held no title to the land.<sup>48</sup>

### De-population

Opportunities for unskilled labor were created through work in large-scale logging operations and river transport services, road building, the construction of airfields and the hydroelectric plant as well as the mining of bauxite. This encouraged larger numbers of Maroon men to travel to Paramaribo for employment. After 1945, the migration of men to the city in search of a wage became common cultural practice among all Maroon groups. The Maroons were becoming an increasingly urban people and the depopulation of Maroon villages became a serious problem. In 1964, approximately 2,400 or 8.7 per cent of all Maroons lived outside tribal territory. (*Ed. This percentage is not high compared with the drastic increase in the 1980s*). In 1986 and 1987 the violence of a civil war (the so called 1986-1992 interior war<sup>49</sup>) between the national government and the Saamaka, Paamaka and Ndyuka in the interior further depopulated Maroon villages, sending thousands of refugees to Paramaribo and French Guiana for safety.<sup>50</sup>

### Small scale gold mining<sup>51</sup>

Free Creoles and Maroons extracted gold on a small scale since the 18<sup>th</sup> century (from 1718 on) when the first efforts were made to explore and exploit Suriname's gold deposits.<sup>52</sup> In an effort to provide employment for former plantation workers after slavery came to an end in 1863, the Dutch colonial government encouraged gold exploration. Gold mining took off on the Marowijne River in 1874. Involvement of Maroons was more in the supporting services where they functioned as boats men, carriers and guides, and their share in gold exploitation was very small. Maroons continued to extract gold manually on a very small scale after the collapse of the gold industry in 1908, but most often only when they were in need of money for a specific purchase. After 1990 and particularly after the interior war (1986 - 1992) small-scale gold mining in Suriname boomed. Especially the lack

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<sup>47</sup> André R.M. Pakosie. *Maroon leadership and the Surinamese State (1760-1990)*, Introduction. Commission on legal pluralism, <http://commission-on-legal-pluralism.com/volumes/37-38/pakosie-art.htm.html>

<sup>48</sup> Ellen-Rose Kambel, *Part II - Policy, Planning, and Management, Chapter 5 Land, Development, and Indigenous Rights in Suriname: The Role of International Human Rights Law*.

<sup>49</sup> Between 1986 and 1992 a civil war took place in the remote interior region of Suriname between a group named the Jungle Commando whose members originated from the Maroon ethnic group, and the national army. In November 1986, military forces attacked Moiwana - home village of the rebellion leader - and destroyed most of the village. More than 100 survivors fled across the border to French Guiana. On 7 June 1989 an agreement was reached on a tentative peace proposal, signed by the government on 21 July 1989. A cease-fire was signed in June 1989. Cease-fire violations continued after the truce without escalating into a full-scale conflict. By September 1989, at least 300 people had been killed, numerous villages were destroyed, and bauxite and aluminum mining were being disrupted. An estimated 7000 Maroons fled to refugee camps in French Guiana. On 19 March 1991, in a meeting between the government offered integration of Jungle Commando into the Suriname Army, and jobs for Maroons in gold prospecting and forestry in return for complete disarmament.

<sup>50</sup> See footnote 47

<sup>51</sup> Main source of this paragraph: World Wildlife Fund – WWFGUINAS (2010) *The Gold Marketing Chain in Suriname, Chapter 4 – History of the gold trade in Suriname*. Sustainable Natural Resources Management Project. Author: Marieke Heemskerk.

<sup>52</sup> Bubberman 1977, as cited by Heemskerk 2010.

of employment opportunities for young Maroon men after the interior war, the socioeconomic exclusion of Maroons in society and their impoverishment drove Maroons into the gold rush. The modernizing and expansion of the small-scale gold mining by the *garimpeiros* was supported by Maroons, and as such increased their involvement. Collection of taxes on the extraction of resources from their territories was also practiced by the Maroons. “The Aluku Maroon Granman allegedly asked a gold tax from every boat of miners passing a certain point in the Lawa River” (De Theije and Heemskerk 2010, as cited by Heemskerk).

### Historical distrust

An excerpt from a paper by Aonghas St-Hilaire<sup>53</sup> gives an explanation for “the evolution of the Surinamese Maroon Nations vis-à-vis the ever expanding Surinamese state and global political economy, with particular attention paid to the cultural survival of the Maroon nations”. Because the article provides an interesting historical aspect that should be taken into consideration in the development of an approach for negotiating/communicating with Maroons, a copy of parts of this excerpt is included in the textbox on the next page.

### 3.1.2. Conclusion

The history of the Maroon Peoples in Suriname shows that:

- Before the peace treaties communities already had their own governing system which was acknowledged by the colonial rulers (especially in the process of negotiating and signing peace treaties) and the Maroons were considered “lord and master” in their own “country”.
- Since the 18<sup>th</sup> century free Creoles and Maroons were involved in gold extraction on a small scale (and in the beginning more in the supporting services) which was encouraged by the Dutch colonial government. After 1990 the booming of small-scale gold mining the Maroons became more involved in gold mining.
- The historical distrust of Maroons towards the colonial ruler suggested by literature, might be important to be taken into consideration in the development of an approach for negotiating/communicating with Maroons.
- External factors impacted the demographics of Maroon: migration because of the hydropower project and employment opportunities in the city resulted in relocation and de-population of Saamaka and Ndyuka villages, and the interior war resulted in abandoned Ndyuka villages.

## 3.2. The Ndyuka from the Commewijne River area

The information in this paragraph is based on literature review (paragraph 3.2.1) and interviews with the Kawina community (paragraph 3.2.2).

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<sup>53</sup> Aonghas St-Hilaire, “Global Incorporation and Cultural Survival: The Surinamese Maroons at the Margins of the World-System”. Excerpt from a paper in the *Journal of world-systems research*, vol. vi, 1, 2000.

Prior to emancipation, limited colonial integration and mutual fear between the Maroons and Surinamese coastal society facilitated the development of the Maroon communities as relatively independent nations. Despite the best efforts of colonial authorities after emancipation, the weak economy and infrastructure of the Surinamese colony as well as continued mutual fear and distrust enabled the Maroons to guard their autonomy.

Maroon interpretation of history results in the belief of the Maroon tribes as sovereign nations. Maroons believe that colonial authorities had been unable to subdue them and had to offer peace for this reason (Groot 1977). The Saamaka, with a long history of struggle for independence, are particularly protective of their autonomous status. They fought for close to 100 years for the right to live freely before the Dutch finally made peace with them in 1762, a full century before the emancipation of coastal slaves (Price 1995)

The efforts by colonial administrators to integrate the Maroons into Surinamese society failed for a variety of reasons. A profound distrust based on the Maroons' historical memory of slavery and persecution by colonial authorities prevented acceptance of governmental overtures. The Maroons feared that the government aimed at taking away their independence.

The Maroons and colonial authorities failed to come to a mutual understanding, misjudging each other's motives and lacking an appreciation for each other's cultures and ways of life. Finally, the colonial government made decisions and took action without consulting the Maroons. The Maroons, on the other hand, resorted to the historical practice of defending their autonomy and discouraging any interference by government officials from the outset, thereby preempting any negotiations toward compromise (Kahn 1931; Groot 1977; Goslinga 1990).

Along a similar vein, Kobben (1968) noted that the Ndyuka maintain strong defense mechanisms against acculturation. Price (1976) asserts that the Maroons are facing intense pressures for sociocultural change, realizing that their traditional strategy of maintaining isolation holds little promise for the future. Counter and Evans (1981) point to the exhaustion of natural resources and the expansion of Western civilization to areas once isolated as threats to the cultural survival of the Maroons. The Maroons, in this view, are losing control over their lives and livelihood.

The traditional Maroon distrust of outsiders has historically served to reinforce group solidarity. As a counterweight to the prejudice Maroons face on the coast, the Maroons are very knowledgeable and proud of their history (Price 1975; Counter and Evans 1981). Tribal Maroons have historically harbored a sense of cultural superiority vis-à-vis coastal blacks, regarding the Creoles as disgracefully de-cultured. This attitude also applies within the different Maroon tribes. Upriver Paramacca, for example, consider themselves more culturally authentic or pure than their downriver tribal counterparts (LeNoir 1973). Whether or not tight intra-group solidarity and attitudes of cultural superiority will ensure the long-term survival of the Maroon tribes as culturally distinct and viable communities, however, depends largely on the future direction of the path of integration that the Maroons seem destined to follow.

### 3.2.1. Written history

According to Pakosie<sup>54</sup> the early beginning of the history of the Ndyuka is probably somewhere around the start of the 18th century. The history of the Oto-lo as well as the Misidjan-lo can be traced back to the old plantation area at the Suriname River. The tribe's population grew from those traveling from the Commewijne-Cottica area, especially after the Tempatie rebellion of 1757. Dusseldorf<sup>55</sup> mentions that in 1790 most of the sub-tribes had already relocated from the Cottica and the Commewijne Rivers (through the Ndyuka Creek) to the Tapanahony River, most probably because of the pressure of patrols from the plantation owners.

In the early decades of the nineteenth century, Ndyuka started to settle in the colony itself. First they came in small groups, later in larger numbers, to build their camps and villages on the banks of the Cottica, Courmotibo, and lower Saramacca rivers; in the last region they "rubbed shoulders" with Saamaka and Matawai.<sup>56</sup>

### 3.2.2. Oral history

This paragraph is completely based on information gathered through interviews and (focus) group discussion with the Kawina community. Settlements and movements of the Kawina after slavery, the situation before, during and after the war, and efforts to rebuild villages are described. First an analysis of the interviews is presented followed by a few quotes from stories shared by interviewees (in textboxes) to back-up the analysis and bring it to life. The quotes are identified by the category (Traditional authority, Older Women, Older Men, Women, Men, Young Men, and Young Women) and the village the interviewee belongs to. Even though the quotes are from a specific individual or category of interviewees, this does not mean that the information or opinion was only shared or expressed by this individual or category. Much of the information was repeated by several categories and individuals.

#### 3.2.2.1. Settlements and movements of the Kawina people after slavery

The settlement of the Ndyuka in the Commewijne River goes back 5 generations and their stories confirm their movements and settlements in the Commewijne River, Little Commewijne Creek and Tempatie Creek area. The Kawina people have inhabited and used the Commewijne River area for more than 200 years. After escaping from slavery most of them came straight to this area and remained there. Some others went further to the Tapanahony River area but later they also returned to the Commewijne River area because the conditions for agriculture and logging activities were more favorable. Some (such as the Nijda and Noordzee families) did not escape from slavery, but they left as "free negroes" and went to the Commewijne area to settle there.

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<sup>54</sup> Andre Pakosie. *Marrons en de Overheid: Aukaners door en na 10 October 1760. (Maroons and the Government, Aukaners as consequence of- and after October 10, 1760).*

<sup>55</sup> D.B.W.M. v. Dusseldorp. Scriptie voor Dr. v. Maersen, docent in de sociologie van tropische gebieden.

<sup>56</sup> *Maroon leadership and the Surinamese State (1760-1990), Introduction.* Commission on legal pluralism, André R.M. Pakosie, <http://commission-on-legal-pluralism.com/volumes/37-38/pakosie-art.htm.html>

According to the traditional authorities the living and working space of the Ndyuka people was the Tapanahony area. In search of work they later went to Cottica and Tempatie to partake in logging activities. After settling in this area it became their permanent living area, but they remained under the authority of the Tapanahony area and they also kept their culture. That's why the Granman of Tapanahony also rules over Tempatie, Cottica and Sara Creek. The different lo also originate from those at Tapanahony.

The Kawina people have also mixed with people from Paramacca area (Paamaka). There is a village in Paamaka called Kiiki Mofo where a group of Kawina people have settled. They have been allowed to live there, but they are not considered to be Paamaka people. Next (in textboxes) are a few quotes from shared stories regarding movements and settlements.

#### **Granman Velanti**

We, lowé nengee (runaway negroes), have settled along the creeks and rivers before the 1760 peace treaty. Most of us came from the Auka plantation along the Suriname River. Only when we went to live along the Ndyuka Creek (after 1770) we established the Ndyuka tribe. We lived along the Ndyuka Creek for decades before we resettled to the Tapanahony River.

#### **Traditional authority Gododrai**

My Afo Toto (great-grandmother) her name was Ma Tokovisi. She came from Sangamasusa, the Misidjan lo (See chapter 6; a "lo" is a clan, and the word is used in singular as well as in plural form). They settled at Casewinica. They were free, so they went upstream. After arriving at Sapenda they stayed there, in the savanna. Ma Tokovisi had 3 daughters and a son: Ma Abani, Ma Awenge, Ma Matina and Da Bakasi<sup>1</sup>. Ma Tokovisi started to clean a place at the river with her daughters. But the place was full of Piranha nesting grounds. Ma Tokovisi asked support from my Gaan Da Losa and Da Ba, who was an indigenous man. The river was blocked by a rock. Ma Tokovisi went to Tapanahony to get a sabiman (knowledgeable or wise men) to remove the rock. They removed the rock with rituals using herbs. That's how our ancestors arrived at the place where Gododrai is located. Our bigisma (elderly, wise people) told us there was a sula in Tempatie Creek. Mapane creek also has a sula, but it's not always visible. Pondo, the former landing place, also is not visible anymore in Mapane.

The white government gave my ancestors the area starting from Plantation Constantia up to the origin of the Tempatie Creek and Mapane Creek, *pe te den e tek watra* (all the way from where they take water). The white people did not bother them there. *Pe te Mapane e teki watra na fu wi* (until the end of Mapane belongs to us). There we made our gronpresi (land to grow crops for own consumption) and we cut wood. I also used to cut babun udu in the Mapane forest. The white people gave them wood concessions. My uncle owned concession 134, 177, 165 and 166a. That was before Suriname became independent from the Netherlands. Logging activities and the sales of timber were better controlled back then. The District Commissioner (DC) would see to it that we were not robbed by those who bought the timber from us.

### **Individual men Mungotapu**

I am 43 years old. My father, grandfather and great-grandfather lived there. My great grandfather came from Africa, his name was Pa Bokojasi. He was a nephew of Ba Telen. He gave birth to Ba Pi, and Ba Pi gave birth to Jaco and Jaco gave birth to Herman Nijda. Some of my ancestors traveled further to Paamaka area and some of them stayed in the Kawina area.

### **Traditional authority Peninika**

My ancestors went from the city to Mapane. After that they traveled in the direction of Marowijne and from there to Tapanahony and to a place they named Pondo at Pondo Creek. Pondo is the place where they have left their boat.

At Tempatie Creek, beyond Maurici Creek, there are sula's (rapids) and to the right there is a hill where a helicopter once landed. There's also a savanna named Sekrepatoe Sabana (Turtle Savanna). After the peace treaty of 1760 my ancestors moved deeper into the forest to the area where our villages were located before the interior war.

The people of Moismoisikondre moved away to Mungotapu, because Moismoisikondre was flooded frequently (Da Saloekoe used to live there). Big mango trees are still there, and we still go there. We have places there where we would perform rituals and prayers. Some people still perform their rituals at these places nowadays. A little further down you will find Sikoisikiiki, where we used to go hunting. A cemetery still exists but we don't use it anymore.

### **Traditional authority Java**

We have proof that our ancestors lived in Gododrai, Peninika, Moismoisi, Poitede, Condi and Break away. They lived more towards the Tempatie Creek, because the Commewijne River has more trefu's (taboo's). If something is done against the rules in a place with a trefu, accidents can happen. That's what our ancestors learned us about the Commewijne River. There's also a story that says a whole island was displaced all by itself. Newmont has to respect the trefu's. The rules and rituals of the area have to be respected. Poitiede was a place where the Grootfaam family had a large village. Long time ago a lot of fighting was going on there.

### **3.2.2.2. Settlements before the interior war<sup>57</sup>**

Consultation with communities verifies that there were five fully populated Kawina villages in the Commewijne River area before the interior war. The inhabitants forcefully left their villages, because they were between fires of the military and the rebellion groups. From north to east the 5 Kawina villages identified by the interviewees as still belonging to them are: Peninika, Java, Awaa<sup>58</sup>, Mungotapu and Gododrai. They are located to the north of- and around the division of the Commewijne River into the Little Commewijne Creek and the Tempatie Creek. Awaa does not have a formal captain or basya. According to at least one interviewee it seems to have been more of a settlement that started out as a camp where Maroons who for some reason did not "fit" in the

<sup>57</sup> Temporary footnote: coordinates were not taken from villages but probably a map with villages might be included.

<sup>58</sup> See explanation on the status of Awaa as a village below the table on the next page.

existing communities settled. However Awaa is mentioned by several interviewees (including traditional authorities) as a Kawina village. Java has always been at its present location, but other villages moved closer to the constructed road to take advantage of easier transportation of goods. The next table provides a list of the villages, their previous names, the lo and the names of the presiding captain. After the table a short oral history of the establishment of each village is provided.

List of villages with their lo and present captain				
	Village name	Other/previous names *	Lo	Present captain
1	Peninika	Nengee kondee Pepee	Misidjan-lo	Frans Nijda
2	Java/Javang		Dju-lo	Robby Noordzee
3	Awaa (Awara)		Misidjan-lo Njan Fai-lo	Jozef Nijda and Da Beloni**
4	Gododrai	Mapane	Bee-lo, Dju-lo Misidjan-lo	Antonius Misidjan
5	Mungotapu	Pikin Kawina Moismoisi kondre	Asaiti-lo Nijda bere	Glenn Nijda (Acting captain)

\* After a community moves to another location they often give their village a new name. They consider the name of the new location to also be the new name of their old location.

\*\* Jozef Nijda is formally not a captain or basya. But because of his knowledge and maturity the community members and the members of the traditional authorities of other villages treat him as if he is the captain and he is called “ Granman fu kondre” (Big man of the village). He was/is often consulted for or involved in conflicts where normally the captain would be involved to mediate or give his advice. Because of this he is not considered to be “just” one of the elderly. It was mentioned during the final validation meeting that besides Jozef Nijda a man named Beloni is also called “Granman fu kondre of Awaa and that the people from Awaa and Gododrai are the same family.

**Peninika** is the oldest village and the first village from the north. It was previously known by several other names: Da Moimankondre, Nengee Konde Pepee, and Maripa kondre. Peninika is actually the name of the creek where the village was located. Moimankondre was established by a man called Wakaman. Peninika at the creek was established by captain Kofi Baling/Balen (or Da Ten Ten) who reached the age of 112 years. The elderly people of today knew him alive. He was head captain of the Kawina. The Indigenous villages at Casewinica were also under his governance. The new Peninika was established by Da Pipo - a policeman by the name of Van Daal - and the captain was Da Banke. The people in Peninika came from Jawsa and Moitaki at the Upper Tapanahony.

**Java** (or Javang) is the second oldest village and also the second village from the north and has remained at its present location ever since its establishment. It was established by Da Javang, who came from Plantation Peneribo and built a camp there, which later developed into a village. Da Javang seems to be the most probable establisher; however others claim that the village was established by Da Nauna and Da Jaki or by Da Koi.

**Awaa** (Awara) is the next village in line. Awaa is located between Java and Mungotapu and used to be very populated. The Kwasiba family who used to live there came from Upper Suriname. Da Ajasi as well as Da Bajong are mentioned as founders of Awaa. Da Ajasi was a Ndyuka and he was the Afo (Grandfather) of Eva Misidjan (one of the interviewees). The village was rehabilitated by Da Toewi and his grandchildren brought new life to the village. As explained before, Awaa formally has no captain or basyas appointed according to traditional structures, but there are two “Granman fu kondre” who practically function as village leaders.

**Mungo Tapu** (or Pikin Kawina) was established by Kwasi Bajon who was a Paamaka, but because of the matrilineage system the children belong to the tribe of the mother. Saloekoe Nijda (Da Pi) was the first captain and he was succeeded by Eddy Nijda. The present *holi plesi kapten* (acting captain) is Glenn Nijda.

#### **Traditional authority of Java**

Da Sante (Johannes Noordzee) was the first captain of Java. The Ndyuka people used to call him Da Javang. He was succeeded by captain Hendrik Akoloi Noordzee and Hendrik was succeeded by Robby Noordzee (the present captain). The Noordzee family originates from a slaveholder who married an African woman. They have many family lines, one of which is from Peneribo below Stolkertsijver. From there they moved to Commewijne. Java has more Saamaka fathers. Most of the women lived with Saamaka men. In all villages Saamaka have children.

My ancestors are from Kapasikele, Jaw Jaw Lespansi and Wakibas. Java had lots of *meki pikin* (Ed. *Meki pikin* means that only the mother is from the village where the children are born and the father is from another village. *Gron pikin* means that both parents are from the same village where the children are born).

Before the war Java was a tourist attraction. At New Java (across Java) there was an army post, and further away there was a wood storage place. There were wood concessions of the Grootfaam family and the Ebenhezer, Arnhem and the Ho Sam Soi families. Bruynzeel wood company was located more upwards. In those days wood was still transported over water.

**Gododrai** is more than 100 years old and was established by Da Bokojasi. Part of the ancestors went further to the Paamaka area and another part stayed at Kawina (at Moismoisikondre for example). The new Gododrai is established by Da Basya. The Bee-lo and the Misidjan-lo live in Gododrai and the present generation in is the 5<sup>th</sup> generation.

### **Traditional authority Gododrai**

The Nijda family is from Saramacca River. The brother of my grandfather (Bamboeliki) lived with Ma Augustina Nijda. He brought her there. That's how the Nijda's came there, and that's how Mungotapu took form. But Mungotapu is from the Misidjan. Nijda and Grootfaam are city people, but they lived with women in the villages. Da Bokojasi came from Africa, he was a nephew of Da Telen. Ba Pi (captain Saloekoe) and Jaco were his children and Jaco is Herman Nijda's father.

[Ed. Ba and Da both stand for a male person. The one that fits better with the name is used. "Ba" or "Da" are actually considered to be a part of the name. For females the prefix "Ma" or "Sa" is used. In old times all names would have a prefix: Ba, Da, Ma, Sa, Tii (uncle), Tia (aunt) or Bala (brother)].

### **Indigenous people in the area**

It was mentioned by interviewees that all places where Maroon settled, they found indigenous artifacts and that they (the interviewed Maroons) know Indigenous peoples are the original inhabitants. This was the case in Commewijne area, Paamaka area and along the Tapanahony River. Maroon people do speak with great respect about Indigenous people as people who lived everywhere in Suriname, who are the natives of the land, and as people who allowed the Maroons to live and use the territories they are living on now.

### **Traditional Authority – Java and Peninika**

The indigenous people used to live more downstream; from Agamakiiki up to bilo Casewinica (bilo = below). The land to the south - beyond Agamakiiki - was considered to be land of the Kawina people. A short distance passed Agamakiiki were Martinkondre and Tomakondre where a few indigenous people used to live. The border was not official.

Traveling upwards, you will reach Sapenda, an indigenous village. The indigenous people also have houses in Peninika. We and the indigenous people have equal rights there. Our bigi sma's and the bigi sma of the indigenous people both lived in the area.

Hendrik Leo Martin, an Arowak of over eighty five years old from Mapane area is the only person consulted about the habitat and traditional territory of the indigenous peoples near the Commewijne River. He confirmed that most families already left the villages before the interior war, mostly for economic reasons and to enable their children get an education. Around 2004 some elder people were still living there but not long after they also left. His village which already existed in the Copie territory near Mapane Creek before 1863 was nearby a slaves Plantation, not too far from Cordon path<sup>59</sup>. To the north of Cordon Path, along the Commewijne River Indigenous Peoples had a

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<sup>59</sup> In 1774 Governor Nepveu ordered that the so-called "Cordon Path for Military Defense" be constructed on the eastern side of the Suriname River. It was thought that the path would protect the plantations in the eastern part of Suriname against attacks of rebellious Maroons. At the same time, the Cordon Path would discourage slaves to run away. In 1778

camp named Palulu and further downstream was Casewinica. More upstream from Cordon path, near Agama creek there was a larger village named Sapenda and another settlement. Across the Commewijne River the Roman Catholic Church had a boarding school but only Kawina children stayed there. The Indigenous children went to another boarding school, more downstream near Stolkerts Ijver. The Ndyuka Kawina lived from Peninika Creek to further upstream, at both sides of the Commewijne River. Indigenous Kawina as well as Ndyuka Kawina used to hunt and fish and have other activities in the forest. They knew where indigenous territory was and which land was Ndyuka land. Their close relationship and respect for each other might clarify that some Kawina have indigenous ancestors. There never were conflicts between them, even if territories were overlapping. Indigenous peoples also went upstream to take part in logging activities in Mapane and along the Little Commewijne Creek. They worked together in the logging concessions. The Indigenous Peoples did not make use of the Little Commewijne Creek and they did not have plots along that creek. There was enough fish, wildlife and forest material to use of for their livelihood, so they never felt the need to go further upstream, as the Kawina do, unless they just wanted to 'take a walk'. Martin knows that a group of people, a family, is trying to go back. They went to the Ministry of Regional Development but without any success for support. As far as he knows the current President of Suriname's grandmother comes from a village in that region. The president gave orders to clean up a space and someone of Casewinica is now managing the place and lives there more or less permanently. This is probably in Agama creek. It seems that this family still has a registered captain and basya.

### 3.2.2.3. Effect of the war and efforts to rebuild villages

#### Effect of the war

The interior war had a devastating effect on the Kawina villages. All villages were destroyed and the people lost their homes and possessions. During the 1986 – 1992 periods all inhabitants of Java, Gododrai, Peninika, Awara and Mungotapu were forced to leave their homes and flee to the city. This was very difficult for those who spent their whole life in their village, and especially the elderly had a hard time living in the city. Some claim that many of their elderly quickly died one after another because they were unhappy and could not adjust to life in the city.

#### Traditional authority/Elderly - Awaa & Mungotapu

At present a few people live in the villages; *e sribi wiki drape* (they sleep and wake up there). Most of us, however, live in the city - especially in the areas of Kopieweg, Ramgoelam, Tourtonne en Wintiwai. We do not live together in groups, only at Charlesburg we used to live in a group. (Ed. These are all neighborhoods in Paramaribo except for Kopieweg which is in a suburb).

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this defense work was completed: a cart track of eight meters wide and 94 kilometers long. On both sides of the path there were gutters with a depth of 1.20 meters. Starting at the military Post Gelderland near Jodensavanne, the path lead to Post Vredenburg at the Oranje Creek, near the coast. Every five kilometers a watch post was built. More than 1,100 soldiers populated this route at the time. However, the Cordon Path never functioned as the colonial government intended. (...)To date the track is largely overgrown by vegetation; only some stretches can still be traced back. A stretch of around 300m across the road entrance of the Jodensavanne site is still observable and accessible.

Source: <http://www.jodensavanne.sr.org/smartcms/default.asp?contentID=680>

### **Young Men - Java**

Mapane and Peninika can be reached by car, but to reach Java you have to cross the river. Even though there is no development we still go to the villages to hunt and to perform our traditional rituals. When I was younger, I used to go there during the vacation to look after the crops.

### **Traditional authority Java**

Java was attacked by the army because some members of the Jungle Commando lived in the village. Java people fled to Awaa, Mungotapu, Tempatie and Kasabagron. We escaped across the river by boat. One of us - Da Taba - was shot while fleeing. Through Stolkertsijver we went to the city. This was organized by the Grootfaam family. Only women, children and elderly people were allowed to move to the city. The young men had to stay to fight for the Jungle Commando.

### **Efforts to rebuild villages**

After the war ended a few efforts were made by the Kawina people to start rebuilding the villages, but without success, and very few succeeded to go back permanently. They did not receive the needed support and their own efforts are hampered by difficult or limited access to the area and a lack of infrastructure. The Java Bridge is destroyed, the Mapane Bridge and the roads are in very bad condition, schools and houses are destroyed and there are no employment opportunities. Interviewees expressed the need for the road to be reconstructed and for a bus connection to enable them to rebuild the villages. It was often said that reconstruction of access roads and bridges and facilities such as schools for children and a permanent daily bus service as well as employment opportunities are needed to enable them to start building a new house in the village. They are not asking for the houses but for the conditions to ensure that they can live in the village while having employment opportunities and their children can attend school.

Some of the interviewees criticized their village authorities for not acknowledging or not sufficiently supporting efforts from CBOs and showed concern about the captain's level of taking responsibility for restoration of villages. Some also expressed the opinion that the traditional authorities are not so much concerned with rebuilding the villages but rather with logging activities, while there's a lack of transparency in the allocation of the benefits of these logging activities.

### Organized effort

Three organisations coordinated efforts to rebuild villages: Uma Holi Tanga (UHT), Kawina Pikin and *Stichting Wederopbouw Commewijne* (SWC - Foundation for the rehabilitation of Commewijne). Generally all organisations made efforts for a few years, but a lack of structural support, and a lack of finances at the communities' side, caused these efforts to end up in disillusion.

The women's organisation *Uma Holi Tanga* initiated cleaning up of several villages during the nineties'. The government provided support to *Uma Holi Tanga*, by supplying tools to clean up the villages, transportation, food and machines to process wood and agricultural products. When the organisation started receiving (material) support from the government and from gold miners, the traditional authorities were of the opinion that this support had to go through them and they withdrew their support to the organisation. On top of that, during the last effort to clean up the villages 3 children drowned in the river. This tragedy brought a definite end to most rehabilitation efforts. *Uma Holi Tanga* has not been that active anymore for about 3 years now.

*Stichting (Foundation) Kawina Pikin* also made efforts to rebuild the villages by initiating agricultural activities. Because of internal issues this came to an end.

*The foundation for rehabilitation of upper Commewijne* was established in 1991. The organisation worked for the whole Commewijne area. Mungotapu, Gododrai, Peninika and Java were cleaned up. But after 1999 the chairman became ill and the activities slowed down. Not all the captains acknowledge the organisation, so the coordination of the rehabilitation activities was transferred to the new captains.

#### **Government support**

The Foundation for Rehabilitation of Commewijne received support from Commissariat Para from 1991 to 1999 by means of tools, and consumption, and *Uma Holi Tanga* also received some (material) support from the government. However according to some interviewees the support most needed was not provided; the reconstruction of basic infrastructure to enable the people to go back, rebuilt their houses, make a living and send their children to school within the area.

### **Compilation - Traditional authority & Men, Women - Java, Awaa & Godo**

We started cleaning up Java and Mungotapu, but now it's all covered up again with forest. In Peninika and Gododrai a few new buildings have been constructed. It's not easy, because people do not come when you call them and others are waiting for the rehabilitation of the road. They allowed a Chinese company to work in our forest and asked them to improve the road somewhat, but it remains a challenge. Peninika and Gododrai signed an agreement with the Chinese man. Part of the forest was cleaned up. We would use wood from our own forest. But Java and Mungotapu are difficult to reach, because there is no bridge to get there and if we clean up a piece of land the forest soon takes it over again. Java was already starting to become a center village; a storage room was built where we sold wild meat. But after the 3 children drowned it all came to an end. Later on we tried again, but we didn't receive enough support from the government. This is still the case. People got demotivated and discontinued their efforts. Some have built their own camps to stay when they go there.

### **Kawina Expert**

First there was Stichting Wederopbouw Commewijne (SWC) who initiated the rebuilding of villages. But then the women felt the need for their own organisations (Ed. Uma Holi Tanga – UHT), because SWC did not meet their needs. Their voice was not heard in important decisions. In this way women could influence the process of rebuilding. We started with a “trowe watra” ritual at Java to inform the spirits that we wanted to go back to our villages. Misidjan had a dream, she was told that we had to do something first, before we could go back. So we did the ritual. Then we started and we went to the area in groups. The women took the lead, but then we got problems with the men, when the men realized that we were doing so much. They wanted the material support that we received to be delivered to them and have control over the materials the women received. The captains became less supportive and so the collective approach came to an end and all villages started to work on their own. The next initiative came from the funding agency for the interior of the Ministry of Regional Development; *Fonds Ontwikkeling Binnenland* (FOB – Fund for Development of the Interior). The SWC also started collecting money, but it wasn't clear how the money was spent. The women's organisation on the other hand started receiving donations from the small scale gold miners who were of the opinion that the work of the women's organisation was transparent and successful. When the implementing organisation of the “Suriname Sustainable Development of the Interior” (SSDI) project approached the women's organisation to conduct mapping activities in the kawina territory, the captains became suspicious and stopped the activities of the women, because they were of the opinion that the organisation had to approach them as the traditional leaders.

### **Young people - Java**

There was an organisation Uma Holi Tanga. As a teenager I was proud of it. But the organisation was divided because of politics. The interest of the community was forsaken. People do not think in terms of self-reliance, cooperation, sustainability, improvement of infrastructure and entrepreneurship.

#### **Men Gododrai**

Most of the support is related to politics. It is influenced by politics, and then it doesn't work. We have not presented a plan of action to the government yet. Maybe if we did the government could support us. Some others also contacted the Commissariat Para for support, to help us with the road, but we didn't get it. The wood concessionaries support us every now and then.

#### **Young men Java**

For 6 six years now I have been a member of the village board. The board has to be acknowledged by the Ministry of Regional Development. But cooperation goes further than receiving an outboard motor or some tools. The relation with the government is administrative.

#### **Older men - Peninika**

As difficult as it may be, we will go back there; *A sreka fu a liba o hari den sma baka* (the spirit of the river will pull the people back). We didn't leave our villages voluntarily; *na a feti puru wi drape* (the fighting drove us away), but we are making efforts.

### **3.2.3. Conclusion**

Written and/or oral history of the Kawina people related to their settlements and movements provide evidence that:

- Indigenous peoples are acknowledged by interviewees as the original inhabitants of the area.
- The Kawina people have traditionally and collectively inhabited the Commewijne River area including the Tempatie, Little Commewijne and Mapane Creeks for 5 generations. Consultation with communities verifies that there were five fully populated Kawina villages in the Commewijne River area before the interior war.
- From north to east the 5 Kawina villages identified by the interviewees as still belonging to them are: Peninika, Java, Awaa, Mungotapu and Gododrai. They are located to the north of- and around the division of the Commewijne River into the Little Commewijne Creek and the Tempatie Creek.
- The Kawina people forcefully left their communities because of the Interior war in Suriname during the eighties. Efforts to rebuild villages after the war were unsuccessful because of a lack of resources.
- The Kawina have their own traditions of giving names to places. Many of these names were mentioned during interviews, such as names of (former) villages, locations of spiritual importance (cemeteries, places for prayers and cultural rituals) and places where their ancestors or the interviewees themselves have used for their livelihoods.

### 3.3. The Saamaka communities from the Afobaka road area

The villages where consultation of the community took place are Tapoeripa, Boslanti and Asigrón. Tapoeripa and Boslanti are transmigration villages<sup>60</sup>. As these 3 villages do not claim land rights in the project area, only some basic information about the establishment and some demographics are provided. All information below originates from the interviews with community representatives.

#### 3.3.1. Written and oral history

The Saamaka are the largest Maroon group. Because they used to travel around in separate groups after liberating themselves from slavery, there appears to be less of a “clan bond” between them. From their first settlement along the Saramacca River they traveled to the Suriname River. A large part of their ancestors used to work on the Jewish plantations.<sup>61</sup>

The Tapoeripa community came from the former Lebi Doti village which was located where the Afobaka Lake was made. The present captains are Anajoe Kenti and Albert Dalen (from the Amoko family). Different population numbers are provided; one interviewee says 500 but another interviewee estimates the population at 800 - 900 people. The dominant lo are the Misidjan-lo, the Oto-lo (both Ndyuka) and the Dombi-lo (Saamaka). Most inhabitants live in the village permanently and some on a semi-permanent basis. The village is about 55 years old and was named after a plant that grows along the Tapoeripa Creek. According to the basya the founder of Tapoeripa is Aloema Kenti, but others mention the names of Baabo and Frans Prior. The current captains are Anajoe Kenti (not yet consecrated as head-captain) and Albert Dalen (from the Amoko family).

Boslanti is inhabited by people who moved from Sara Creek in 1969. Previously people from Marshall Creek (Saamaka people) used to live in the territory where Boslanti is located at present. Baku was one of the villages along the Sara Creek. During transmigration the people from Baku first went to live in Tjijtji Paandasi and after that they went to the location where Boslanti is now. The present captain of Boslanti is Waisi Losia. The population consists of 300 – 600 people who are all Ndyuka of the Misidjan-lo or the Nyanfai-lo.

There are 2 stories about the way Boslanti was established. One refers to Tjijtji Paandasi and the other one to Boslanti:

(i) Traditional authority Boslanti: *On 29 July 1969, we left from Sara Kiiki because of the construction of the Afobaka hydro dam. We received permission from a man named Aloema, to clear a plot in the forest for cultivation of crops. That was the first step in establishing our village Boslanti.*

(ii) Older men Boslanti: *The founder of Boslanti Da Abonie had to bring his son to the city for health reasons. Along the road to the city he decided to clear a plot. After visiting the plot a number of times, he decided to stay there. Because of the transmigration related to the construction of the Afobaka dam others joined him and Boslanti became a village.*

<sup>60</sup> Which appeared to be Saakiiki villages, see footnote 6 for detailed explanation.

<sup>61</sup> D.B.W.M. v. Dusseldorp. Scriptie voor Dr. v. Maersen, docent in de sociologie van tropische gebieden.

Asigron has been in existence since 1880, so it's not a transmigration village. It was established by Abana Maipa, and it's also known as Abanakondre. Previously the people from Asigron lived in Maipa and Poolokaba at Tapanahony River and the founder of the village came from Maipa (Maripa). The current captain of Asigron is Dani Aloeboetoe and there are two lo: Misdjan lo and Aloeboetoe lo.

#### **Men - Boslanti**

In 1970 I slept here for the first time with the founder of the village Da Abonie. We used to live at Baku. Because of the transmigration we moved on 29 July 1969. We asked permission from a man named Aloema to clear the land here to grow crops, and so the village was established.

#### **Men - Asigron**

The first of us who settled there was the father of a man named Gadjawaka. After the father Gadjawaka also followed. The father lived with a woman from Poolokaba. The people of the Aloeboetoe lo were Indians. The people used to live in Poolokaba and Maipa. These are people of the Masidjan-lo, Matjaw -lo and Kastioe-lo.

### **3.3.2. Conclusion**

Written and oral history of Saamaka/Saakiiki communities included in this study shows that:

- They have traditional collective habitation and use of land west of Sabajo Hills.
- The speculation of some members of the communities made during the first validation meeting (that they might have land rights within the project area) was not validated by historical data, and as such they have no claim in the Sabajo project area .

### **3.4. The Paamaka communities**

The Paamaka community members who were interviewed are a captain of Skin Tabiki, a captain and basya of Nason, one older men, a dresiman (medicine man) of Kikimofo at Sebedoe kondre, and one focusgroup of women. The interviewed representatives are from Sebedoe kondre, Nason and Skin Tabiki.

#### **3.4.1. Written and oral history**

The Paamaka tribe consists of three lo: Asaitie-lo, Antosi-lo and Mo-lo. They live in thirteen villages on tabiki's (islands) in or along the left shore of the Marowijne River. From north to south the villages are; Akatie (actually a small settlement under the authority of Langa tabiki) and Langa Tabiki, Pikin Tabiki, Snesi kondre/Bethel, Badaa Tabiki, Kiiki Mofo (of Sebedoe kondre), Nason, Tabiki Ede, Pakira Tabiki, Skin Tabiki, Atemsa en Loka Loka.

After escaping slavery the ancestors of the Paamaka people have traveled a long way before they finally settled at their present location along the Marowijne River. Stories narrated by community representatives show that they have come across the Commewijne River, Tempatie River, Dan Tapoe, Ijskreek (Ice creek) at Nassau Hill, Pegudu Fall and finally they turned back to their present location. The Kawina people appear to have settled along the Commewijne River much later.

#### **Dresiman - Sebedoe kondre**

*Wan jéjé de nanga mi 43 jari kaba* (A spirit is with me for 43 years already). The things the spirit knows I do not know as a human being. The Spirits of our elders who escaped from slavery spoke through me and told us how they ran away from the plantations. I do not know these things, no, I know nothing. It's the spirits who convey their story through me. The spirit spoke as follows: "After escaping the plantations we went to the Commewijne River (Kawina) and settled along the river in a village we named Kondi. After that we continued our path along the Tempatie River. We traveled up to Dan Tapoe and *wi Saka ga ondo* (went down stream), passed Ijskreek (Ice creek) at Nassau Hill and settled there. From Ijskreek we traveled further to Pegudu Falls and settled below the Sula. *Ma a no ben bun drape* (it wasn't a good place to live), so we turned back. From Tempatie we went to our present location along the Marowijne River." This is how the spirit spoke.

From Nason (Nassau) our ancestors went back down (to the south) and then they went back up. They didn't meet the Kawina people there. The Kawina people came to the Commewijne River much later.

### **3.4.2. Conclusion**

Written and/or oral history of the Paamaka demonstrates:

- A pattern of habitation and land use of Commewijne River and Tempatie
- That they acknowledge they do not longer inhabit or use these areas
- A close family relationship with the Kawina people because of a history of partly overlapping land use.

## 4. TRADITIONAL LAND USE AREA

This chapter is based on information from the first validation meeting, interviews and the mapping exercise on the extent of the traditional land use area of the people who have traditionally resided in the project area. This mostly concerns the 5 Kawina villages along the Commewijne River. For the Saamaka the description is limited to their use of Little Commewijne Creek area, and for the Paamaka it is limited to territory near the Merian mine where the Kawina people have a land claim as well. Each paragraph first presents a short analysis of collected information followed by a few quotes from shared stories and a conclusion of the paragraph.

### 4.1. The Kawina People

This paragraph describes the traditional land use area, borders and land use conflicts as reported by the Kawina representatives.

#### 4.1.1. Traditional land

As described in chapter 1, the validation of maps generally showed that the Kawina communities traditionally have occupied the land as demarcated on the existing map designed by ACT. Kawina participants at the meeting explained that they traditionally have been using and/or still are using the land surrounding their traditional territory for their traditional livelihoods as well as for logging and gold mining. It is clear from interviews that only a few community members live permanently in the villages at present and some villages are completely abandoned. Some community members do visit the villages regularly to hunt and fish, grow crops, cut wood and collect medicinal plants or to perform rituals and spend the vacation, and some also partake in gold mining and logging activities.

The war generally did not influence traditional land ownership of the villages or the traditional rules within the “living space”. Any village member can still cultivate land to grow crops in the area that belongs to the family and permission from the Traditional authority is not necessary. However, in some cases it is mentioned that after the war permission from the government is needed to use land for commercial purposes.

#### **Individual women – compilation**

During the school vacation about 200 of us travel by bus from the city to our villages where we can be together and bond with each other and enjoy our natural habitat and culture again. Some of us who live in the city still grow crops on our land and we regularly go there to maintain the cultivated area and to hunt and fish. Gold mining and logging activities have increased, especially after the interior war. At present particularly Santa Barbara, Margo and Casador are being used for this purpose (Ed. These are 3 hilltops within the Sabajao Hill area).

### Borders

Traditionally borders are set using the watershed method, or by other landmarks such as hills. The existing borders are basically still as agreed upon by the ancestors. After introduction of the *Hout Kap Vergunning* (HKV – Wood cutting license<sup>62</sup>) system, the HKV started playing a role in setting borders. Development in infrastructure (mainly roads) has also had its influence on the location of settlements which also resulted in changes in agreements about borders and land use. It is generally acknowledged that one side of the Nassau hill belongs to the Paamaka people and the other side to the Kawina people. To the west the territory of the Kawina people almost borders Boslanti village. Mapane serves as a border with the Brokopondo area and on the side of Mapane the area stretches out beyond Akinto sula, according to the Kawina people.

Granman Bonno Velanti confirmed that the hills to the east of the Commewijne River are the border between the Kawina people and the Paamaka people's living space. The area where the water flows to the living space of the Kawina people belongs to them. The same goes for the Tempatie Creek. According to the Granman the Cordon path is used as the border of their territory. Little Commewijne Creek is also traditionally used by the Kawina people; there are burial places, they know the hunting areas, have their own names for creeks and since 1920 they have "searched" for gold at the foot of the hills.

### Granman Velantie

In 1760 we defined our area in the peace treaties with the Colonial States. Location holders (posthouders) were appointed and for the Aukanisi 3 were appointed. I have a map which shows the watershed (Ed. See Annex 17). This map was designed late in the 17th century or early in the 18th century, and reproduced by Dahlberg in 1962. The map clearly displays a line representing the watershed that divides the two areas. This map was used to define the borders.

We still find tracks of indigenous people who once lived here. They have lived and used land in the whole country. On a rock, just right here in front of my residence there still are imprints that show where they sharpened their arrows. We respect that; they were here before us but they gave us the opportunity to live here. They also showed us the way to travel to Paramaribo. Previously we used to travel by boat, sailboats over the ocean. They showed us the creek that leads to Coermotibo which brings us to the river that brings us to Paramaribo.

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<sup>62</sup> The HKV is a logging permit, issued by the Ministry of Spatial Planning, Land and Forest Management, meant specifically for Indigenous and Tribal communities but issued in name of the village captain. The captain can implement logging activities with this permit or lease it to a third party. The borders are set by the government and the HKV does not necessarily overlap the traditional land of Indigenous and tribal peoples.

### **Traditional authority - Gododrai**

My bigisma (elderly or important people) told me that the Kawina and Paamaka areas are divided by two hills, the Nassau Hill and the Grensgebergte (Border Hill). One side of the hill belongs to Paamaka people and the other side to the Kawina people. Our bigisma told us that the granmans of the Paamaka and the Kawina people have agreed that the watershed created by the hills marks the border.

Moisikriki flows in the direction of Tempatikriki and the Kawina River. It's not possible that the Paamaka people have cultivated land (agriculture plots) at Meriankriki, because it's 35 km away. Nowadays they can reach Meriankriki because of the road. The dirty water will not flow towards the Paamaka; it will flow to Commewijne trough Tempatie. And this is where our villages were before the war.

### **Older men - Java**

Taking off from the mouth of Tempatie Creek you come across Kasabagron, Bakioolo, a number of creeks and a historical cemetery. Going further you reach Tabiki, Stonkampu and La Pe. My father, Ba Dojo, used to work here. After La Pe there is Atiyekriki and then the Bruynzeel wood company camp, and if you continue you reach the headwaters. There you will find Baas Eddy kondre (Eddy Grootfaam), Bee kawe (a piece of forest that was used by the Bee), Nekokriki (here we used to cut wood) and to the left there are a few small creeks.

### **Compilation Traditional authority, older men & women**

The traditional area of the Kawina people begins at Tampoco and goes up to Tempatie past Moisikriki and past the sulas all the way to the headwaters of the Tempatie and Commewijne River. Within the whole Commewijne area, from Tempatie to Moisikriki land was cultivated. We used to walk up to the first sula. Only hunters and fishers went up to the second sula and people rarely entered the hill. The sula was one of the landmarks of the border. From Sabajo Hill up to Bigi Anu (branch of the river) we used to fish and hunt. Past Moisikriki we used to cut babun wood, we went past Poitede and Atiyekriki (at Bruynzeel) and Abrikate. Across the sula there used to be a camp and an airstrip. Moisikriki is in walkable distance from Sarakriki. We went all the way to the sula for wood. We used to put up camps because we couldn't go further by boat and we had to walk.

### **Men – Gododrai/Awaa**

*Den kondre no de moro ma a liba de ete* (the villages are no more, but the people are still here). If something would happen with us in the city, that's where we would take refuge.

*Na feti prati wi* (the war separated us) but it's our land, it belongs to the Kawina people, nobody should separate us from our land.

**Compilation Traditional authority & Older men – Java, Peninika, Gododrai**

In the area of the big sula I also used to cut wood. At Lamiong busi (Lamiong forest) we used to cut Bruinhart wood for the Energy Company of Suriname. Lamiong was a creole man who used to cut wood together with my father (Da Tjampi). Da Panto (his brother) was the first one who started cutting wood. Ba Toema who is a little brother of Ba Toewi (Jozef Nijda) knows the area very well. Beyond Agrikatebusi there was Simmybusi and Lamionbusi (HKV). Simmy was creole man. My father told me that a train used to go from Meriankriki to Moiskriki. They say that the iron rails are still there. In the area of Moiskriki there's also a large cemetery.

**Traditional authority/Elderly - Awaa**

My grandfather told me that the Kawina area and Paamaka area are divided by two hills. Tempatie continues up to a large creek in the Paamaka area. The water of the Tempatie flows to this creek. The Paamaka cannot go there because the entrance is too narrow. There is a place called Camp 6, where we used to work. Kawina forest goes beyond Camp 6. The camp still exists and I have been there.

**Compilation Traditional authority - Gododrai & Java and young people**

On the west side our territory almost borders Boslanti village. Mapane is like a border with the Brokopondo area. On the side of Mapane our area stretches out beyond Akinto sula. Gold mining in Boslanti has caused the water in little Commewijne River to turn brown. But the ministry of Regional Development does not take any action.

**4.1.2. Land-use conflicts and conflict resolution**

According to most Kawina interviewees there are no conflicts between the villages. It seems that – when there are conflicts – they are most often about wood concession and gold mining areas. The management rules and regulations for areas given in concession by the government are not in accordance with the traditional agreements on land use between the different lo's. *“Nowadays everyone claims the resources in their areas and villages are less willing to let others in”*.

Some interviewees expressed the opinion that a land conflict exists with the Paamaka people, because the Paamaka people do not want to acknowledge that the watershed area to the left (facing the north) of the Nassau Hill belongs to the Kawina people. This statement has been contradicted by Granman Velantie and interviewees of the Paamaka community who all agree that the watershed of the Nassau Hill marks the border between Kawina area and the Paamaka.

**Conflict resolution**

Conflicts between lo are communicated to the Granman by the captains. The traditional authorities hold a krutu to discuss the problem and reach a solution. Conflicts within a lo or community are

reported to the captain. The captain informs the basya who first talks to parties and if needed a krutu is held to talk until a solution is reached. The conflict can also be brought before the council of elders, and if no solution is reached the next step is to go to the captain as the highest decisive power. Many interviewees are of the opinion that the power of traditional authorities in conflict resolution is decreasing.

Women also play a role in conflict resolution and some voiced the opinion that more women should be involved in activities and organisations. It was said that the people tend to be more receptive to a female basya.

#### **Men - Peninika**

There were no land use conflicts like we have them now. In old times working in each other's area did not result in conflicts. We only needed permission from the captain of the area, and we didn't have to pay for it. Nowadays people are only after their own interest. Conflicts arise and after the war everyone can only work in their own traditional area.

#### **Young men - Java**

I know there have always been conflicts, but the elderly people would mediate. No matter how serious the conflict was, our "bigiman" (important people) would talk with conflicting parties. We looked for a solution acceptable to both parties. For example if there was a conflict in Peninika, Java and Mungotapu would mediate because we were family. People were wise; they were ethical and tactical in their approach.

#### **Traditional authority - Peninika**

When there's a conflict the captain sends someone else (like the basya) before he goes, because if he would go first it could happen that the conflicting parties would not show him respect or might even attack him.

#### **Traditional authority & Resource person**

When this Paamaka (person) was working on our land we discussed this with the Paamaka captains. This person didn't want to listen to us so we took the opportunity during the burial ceremonies of our Granman. There we met with the traditional authorities of Paamaka and we explained to them that we do not expect a Paamaka man to have a gold concession on Kawina land.

(Ed. While the captains of Kawina did not know how this turned out, a Paamaka captain said that they solved the problem. They spoke with the man and he stopped working on his former concession on Kawina land and now he is working on Paamaka land - see also paragraph 4.3).

#### **Traditional authority Java**

Previously the captains had the power in conflict resolution. *Den trowe watra dan den e koti a krutu* (They throw the water and then end the krutu – take a decision). If someone would continue to make trouble after that, he would be banned from the village. But the power of the traditional structure is slowly fading; the position of the captain, the elders and women is decreasing.

Women also play a role in conflict resolution because there are female captains and *basya's*. *Den kondee a den uma sma abi den* (the villages belong to the women). More women should be involved in activities and organisations. At present the rule is to have 2 male and 2 female *basya's*.

#### **Young men & women - Java**

Conflicts can also be brought before the council of elders. The conflict is discussed and together a solution is reached. If one party is not satisfied with the solution, the next step is to approach the captains as the highest decisive power. The captains first have a meeting and after that they talk with the elders.

### **4.1.3. Conclusion**

Research shows that:

- Kawina peoples traditionally inhabit and use land in the watershed of the Commewijne River, including Little Commewijne Creek, Mapane Creek and Tempatie Creek.
- Kawina, as members of the Ndyuka tribe, fall under the traditional authority of the Ndyuka paramount chief, Granman Velanti. Ndyuka live spread over several areas as Tapanahony River, Cottica River and Commewijne River.
- The traditional authorities rule over land use in their territory<sup>63</sup>.
- Granman Velanti confirmed that the area where the water flows to the living space of the Kawina people belongs to them.
- The authority of the Granman is executed e.g. in time of conflicts between different lo or regarding land, but captains also might take a lead in solving land problems between different tribes. At the time research was conducted there were no issues regarding land conflicts.

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<sup>63</sup> Over time traditional rules have been challenged. This is another discourse which was not part of this research.

## 4.2. The Saamaka/Saakiiki People

### 4.2.1. Traditional Land

#### Boslanti

According to traditional authorities and other interviewees the area used by the Boslanti community includes Cedrekiiki (upto approximately 3 km in the creek) Kwamabo, Adjanimaw en Bebbekiiki. They do not go as far as Sabajo Hills. These areas are used for their livelihoods and economic activities. Community forest reaches about 4 km measured from the village. Rules for land use and borders were agreed upon by the elders and they are still the same.

#### **Older men & Traditional authority - Boslanti**

We only use land which belongs to us. Since the interior war the use of the traditional area has changed because people started searching for gold. The Chinese also came in the area for logging activities..

#### Tapoeripa

The community makes use of Mama Ini, Compagniekiiki, Cedrekiiki, Adjanimaw and Kwamabo for their livelihoods and economic activity. Land use has changed after the war: people started searching for gold and the Chinese initiated logging activities in the area. Measured from the village the community forest (CF)<sup>64</sup> is about 4 km long. The land is mainly used for agriculture, but also for mining and logging. The Afobaka Lake is used for fishing.

According to a basya the borders of the traditional area and between the lo were set by the elders. For example, the Djaloe Hill in the west serves as the border between Compagnie en Tapoeripa. In the east the border of Tapoeripa lies about 9 km before Baling Soela, and in the south the border is between Baling Sula and Shompark, about one kilometer from the Commissariat. According to an older man (age 76), who says he participated in cutting the “lines” (borders) of the HKV, the borders of Tapoeripa are: Compagniekiiki in the east, Cedrekreek in the north and Brokopondo in the south.

#### Asigron

According to an interviewee the men of the Asigron community go as far as the Bibberberg (a hill) near Sabajo Hills at the border between Brokopondo, Para en Commewijne. *We (the men) used to go upto the Pew Pew Bergi at the head of the Mawasikiiki where it merges with Mapane. Walking from Mawasi to Sabajo Hills takes one day.* According to a basya the area used traditionally includes Mawasi Ede kiiki, Bitoya (an old cemetery), Fomakiiki and Compagniekiiki. The border between Asigron and Compagnie is Seiliba Pasi (a Path along the river). These areas provide for their

<sup>64</sup> Community forest definition (Forest management Act 1992): “Forest areas, situated around community lands, and assigned as Community Forest to the benefit of tribal communities living in villages or settlements, with the purpose to provide for food and forest products for communities own consumption, as well as for the commercial use of wood, collection of non-timber forest products and for agricultural purposes”.

livelihoods and are used for economic activities. Agriculture is the main activity and a commission manages the benefits from the community forest. There are no gold mining activities in Asigrón, as the community has agreed not to allow gold mining their village.

### **Borders**

The boundaries between the different lo have been determined by the elders and families since long. Before the interior war the same lo lived in the area. The war had no impact on these villages and the traditional living space and their rights are the same as before the war.

#### **Compilation Older men, Men, Traditional authority - Asigrón, Tapoeripa, Boslanti**

We have always lived here and our families decided a long time ago how the land was divided. In the village we live together, Saamaka and Ndyuka. We use the area between Compagnie kiki and Cedre kiki to live. Before the interior war the same lo lived in the area. We still have the same rights as before the war. For clearing a piece of land for agriculture purposes no one needs permission.

#### **Compilation Older men & Traditional authority - Tapoeripa**

Our elders have set the borders. The west border of Tapoeripa is the Compagnie kiki, in the north Cedre kiki; and in the south Brokopondo (between Balingsula and Shompark, about one kilometer away from the police station). The border of Tapoeripa runs 9 km before Baling Sula in the east. In the north there was a problem between Dre Padda and Tapoeripa (Dre Padda is a village between Boslanti and Tapoeripa). Because I was involved in the demarcation for the permit of the logging concession I know that Victoria is another border. Since a cemetery was in the path of the logging line they made a curve around the cemetery to the Basi Creek (or Bokodjogo).

### **4.2.2. Land-use conflicts**

All 3 villages mention border problems with Dre Padda village about gold mining and/or logging activities. The community forest of Dre Padda is across the river, but it is said that they enter the land of the 3 villages for gold mining and logging activities. Some say the problem is solved, but others say it still exists. During one of the interviews in Tapoeripa for example, it was said that very recently (about a week or so before the interview) there was a physical fight between the young men of Dre Padda and Tapoeripa, but others tried to deny that there was a fight, and said it was just a small incident and there was no physical fight. According to a basja of Tapoeripa the problem with Dre Padda was solved by the traditional authorities during a krutu, and Tapoeripa granted Dre Padda permission to establish a village at the location where they are now. But another man said that the young men of the two villages are still “quarelling” with each other.

#### **Older men - Tapoeripa**

The young men from Dre Padda and Tapoeripa fight with each other over gold mining locations. Since the captain of Dre Padda passed away the fighting started. At present there is only one basya. Just recently there was a fight which was settled at the Commissariat of Brokopondo.

#### **Compilation Traditional authority - Tapoeripa, Asigron and Boslanti**

Conflicts between our villages only arise about gold mining and exploitation of construction materials. We have problems with Dre Padda about the borders because of the gold concessions. There is a dispute between Dre Padda and Boslanti about the border. According to Dre Padda the Bebbekriki is the border but Boslanti does not agree with this. Dre Padda and Tapoeripa also have conflicts about gold mining and the young men fight with each other. The community forest of Dre Padda is at the other side of the river but they cut wood in the community forest of other villages. The arrival of the Chinese loggers also created problems. When they were allowed to work in our community forest they would not respect the borders.

### **4.2.3. Conclusion**

Interviews with Saamaka/Saakiiki community members verify that:

- The Saamaka/Saakiiki people do not have traditional collective habitation and use of the territory at Sabajo Hills. The village borders are clear and they do not claim land around Sabajo Project Area.
- Saamaka and Saakiiki people inhabit and make use of land in the watershed of the Suriname River.
- An incident of land conflict existed because of use of land by a village within the territory of the three villages where interviews were conducted. This problem was or is addressed by the traditional authorities of the respective villages.

## **4.3. The Paamaka People**

### **4.3.1. Traditional land**

The Paamaka people share the same system of setting borders as the Kawina and the Saamaka people. In the south, the Paamaka peoples' traditional land borders that of the Ndyuka people and the Aluku. The Purugudu Fall in the upper Marowijne River is said (by a captain) to belong to the Paamaka. The division between the Lawa River and Tapanahony River is the natural border. The Aluku live along the Lawa River and the Ndyuka live along the Tapanahony River.

The representatives of the Paamaka people acknowledged that the mountain ridge (of Nassau Hill) is the border between their area and the area of the Kawina people. Tempatie is clearly in the water flow area of the Commewijne River and belongs to the Kawina. The present border is clear and there are no conflicts between Paamaka en Kawina villages.

#### 4.3.2. Land-use conflicts

At present there are no reported conflicts between Paamaka en Kawina villages. The border is clear and there are no disputes. Both communities hunt in each other's territory. When gold mining is concerned however, permission is needed from the traditional authorities of the specific village and a fee has to be paid to the village according to a Paamaka interviewee .

The border in the south of the upper Marowijne River, between the Paamaka and the Ndyuka of the Tapanahony River has the potential to spiral into a conflict. While Paamaka claim the Purugudu Falls as theirs, this area is inhabited by Ndyuka. Particularly the young educated generation of the Ndyuka wants to claim the whole Marowijne River. A captain of the Paamaka mentioned that they have no problem to give the Ndyuka permission to take over Purugudu Falls, but *"no further than that"*. This issue is expected to be discussed when the Paamaka have their new Granman installed.

In the case (mentioned earlier) where a Paamaka man had a gold mining concession in Kawina area, the traditional authorities of the Pamaaka took a firm position not to allow it, probably because Paamaka authorities are also confronted with Ndyuka working in their creek without permission. This is quite an issue for the Paamaka because the dirty water of the creek goes to the Marowijne River where they live.

##### **Traditional authority - Skin Tabiki**

The young generation of the Ndyuka that has studied in the city wants to claim the whole Marowijne River. *I If wan sma habi furu mofo fu gi njan, dan a wan ala presi, solanga a presi abi njan* (if someone has many mouths to feed, he wants want all places to be his, as long as these places have food). These young Ndyuka see the wealth of the river and our land and now they want more and more. No investigation is needed. All creeks on the other side of the hill belong to the Kawina people. The area where the road is projected belongs to the Paamaka. Purugudu belongs tot the Paamaka. Nature shows the borders. Kawina also live in the Paamaka area because there aren't many Paamaka. The Kawina are with many.

Thieves come into our area to search for gold, some ask first, but most of them just steal. When you grant them permission the village also benefits. When you are a village member you don't need permission but you have to inform the captain. The government gave concessions to Newmont without our permission. Where we used to work and find gold.

I don't want to attend Newmont's meetings any more, they use you. *Mi trowe watra djie ding, nooit ding gie mi wan sani, deng moes pai mi* (I performed the trowe watra ritual for them, but they never gave me something, they have to pay me).

### 4.3.3. Conclusion

Interviews with the Paamaka people show that:

- The Paamaka people share the same system of deciding on borders as the Kawina and the Saamaka people and as such their land is mainly in the watershed of the Marowijne River.
- Tempatie is clearly in the water flow area of the Commewijne River and belongs to the Kawina. More specific, the Paamaka people acknowledge that the mountain ridge of the Nassau Hill (which also passes through the Merian Mine) is the border between their area and the area of the Kawina people and they do not claim land in the project area.
- At the present there are no reported conflicts between Paamaka en Kawina villages and no indication that Kawina Merian claim is a source of potential conflict.

## 5. TRADITIONAL SOCIAL STRUCTURES & CUSTOMS AND MEANS OF LIVELIHOOD

This chapter is based on information from interviews complemented by information from literature. When the information is from literature this is explicitly mentioned. The lineage system, social life and customs, traditional livelihoods and intangible heritage are discussed, and the chapter ends with a concluding paragraph. First a short analysis of information is presented, followed by a few quotes from stories shared by interviewees to back up the analysis.

### 5.1. Kinship and lineage system

The different Maroon tribes all have their own matrilineal structures which generally show much resemblance even though the Maroons originally have been formed by matrilineal as well as patrilineal groups. The reason for the wide adaption of the matrilineal system (with some patrilineal lines) is not explained satisfactorily in literature.<sup>65</sup>

“A village's population overlapped considerably with a matrilineal clan (*lo*). The number of these matrilineal clans (or matriclans) varied between ten and fifteen, depending on the moment in history. The matriclans were divided into two blocs: the *Bilo* or 'Downriver *Ndyuka*' and the *Opu* or 'Upriver *Ndyuka*.' The settlements of the *Bilo* matriclans string the Tapanahoni from its confluence with the Lawa almost to the *Gaan Olo* falls. Sangamansusa is the first *Opu* village; from there to Godo Olo - or Gaan Boli after 1890 - all villages are *Opu*. Each village comprised two or three, and sometimes four matrilineage (*bee*). The members of such a lineage can trace descent to a common ancestress through real or supposed matrilineal links; for most of the last century the lineage was exogamous (marriage outside a specific tribe or similar social unit).”<sup>66</sup>

A *lo* is formed by several *bere*'s (Pronounced as *bee* – Maroons do not pronounce the “r”). *Bere* literally means womb or belly). All members of one *bere* are called the *mama osu pikin*. The *mama osu* consists of the grandmother, daughters, granddaughters, etc., and the *mama bere* consists of the sisters and their children. The size of a *bere* is determined by the number of family members belonging to the same ancestral mother. Usually this includes a few generations. The members of a *lo* usually live in the same village. The daughters have a house next to their mother with the front of the house facing the house of the mother. Even if the daughter is living in the man's village, he is expected to build her a house in her own village. The grandmothers, with their descendants who together form a *lo*, descent from the same plantation or plantations with the same owner.<sup>67</sup>

<sup>65</sup> Pakosi, A. De Gids, jaargang 153, 1990. [http://www.dbnl.org/tekst/\\_gid001199001\\_01/\\_gid001199001\\_01\\_0145.php](http://www.dbnl.org/tekst/_gid001199001_01/_gid001199001_01_0145.php)  
André R.M. Pakosie. *Arrogantie versus traditie, Paramaribo en het binnenlands gezag*

<sup>66</sup> Andre Pakosie. *Maroons and the government, the Aukaners after October 10, 1760, introduction.*

<sup>67</sup> See footnote 59

Even if people do not live in their own village, the bere they came from can be traced back from the lo they belong too. The bere indicates where someone traditionally has a voice, and where one can claim land to live and to work on. Traditionally there is a tight relationship within a bere and members will accept responsibilities and form a united front towards outsiders. The bere benefits from actions of its members and also shares fines imposed on one of its members (which could include a monetary fine, obligations or offerings).<sup>68</sup> Through the matrilineal structures the position within the lo is determined. Each lo has its own political and authority structure, consisting of local leaders, including the captain, the head captains, and a Granman. The traditional governing system is further described in chapter 6.

Succession of traditional functions usually follows the matrilineal line. When there is more than one candidate, the one deemed most suitable is chosen.<sup>69</sup> A Granman (the highest authority of a tribe) is preferably chosen from the same lo and matrilineage as his predecessor. The same applies to the appointment of captains, but the choice is more limited; often a brother (of the Granman) or the mother's brother. Traditionally the current Granman appoints his successor, which usually is a son of one of his sisters. If this does not happen the successor is chosen through an oracle (a traditional ritual in which the spirits of the ancestors are consulted). It has been suggested by culture experts that a rotation system might be a strategic new way to appoint a Granman.

#### **Men - Gododrai**

If the daughters don't have children, there is no captain, or one of the brother's children is appointed. But things can change as shown by the Saamaka; the father has adopted children and gave them his name. This has disturbed the tradition and nowadays we cannot recognize the person by their name.

#### **Older men Gododrai**

*Mama pikin na mama pikin* (a mother's child is a mother's child). I cannot say that I am from Gododrai, because I am not a mama pikin in Gododrai. But in Java I am a mama pikin. *Den granpikin fu Kapiten Sante kan naki futu na Gododrai* (the grand children of captain Sante may stamp with their feet in Gododrai. (Ed. This means they can speak up and have a voice in Gododrai).

#### **Village membership**

Being born and raised in a village, or having at least one parent born in the village, determines who belongs to a village. If only the father belongs to the village, the children have a weaker voice in the community than would be the case if the mother belonged to the village.

<sup>68</sup> Pakosi, A. De Gids, jaargang 153, 1990. [http://www.dbnl.org/tekst/\\_gid001199001\\_01/\\_gid001199001\\_01\\_0145.php](http://www.dbnl.org/tekst/_gid001199001_01/_gid001199001_01_0145.php)  
André R.M. Pakosie. Arrogantie versus traditie, Paramaribo en het binnenlands gezag

<sup>69</sup> D.B.W.M. v. Dusseldorp. Scriptie voor Dr. v. Maersen, docent in de sociologie van tropische gebieden.

### **Men - Gododrai**

*A de tu sortu fasi: (i) a liba di yu e tan na a liba die eng watra yu e dringi, na en taki yu e taki, na en tongo yu e taki (ii) na taki fu a sma o meki yu sabi efu en na fu a kondre dyaso.*

(There are two ways (to know which village someone belongs to): the river from which you drink the water, that's the language you speak, or: the way you speak will tell from which village you are).

### **Older men - Java**

You belong to a village when you are born and raised there. Not if you go there as a grown man. The children of Kawina people who live in the city are also Kawina people if their mother is Kawina. I am born in Mungotapu, but my mother is from Langa uku, so I belong to Langa uku, even though I grew up in a Kawina village. If a woman takes a man to her village to live with her, then the man also belongs to the village, especially if they have children together. The man clears land for her to grow crops.

### **Focusgroup miners and loggers**

*Wakaman nai dansi goon gadoo* (an outsider - from a village - who settles in another village will never obtain all rights). A wakaman does not belong to Kawina, even if he makes children in Kawina villages. You are a wakaman if none of your parents are born in the village. A wakaman can take his children to his village (where his parents are from). If a female wakaman has children with a Kawina man, she can bring the children to her village, but if a male wakaman has children with a Kawina woman the children belong to Kawina.

### **Young men - Java**

*Mi na bere pikin* (I am a bere child). My mother is from Java. My children are meki pikin. I don't tell them stories about Kawina, I tell them stories about my grandmother. You belong to the Kawina people when the mother line belongs to Kawina.

## **5.2. Social life and customs**

As a consequence of fleeing from the villages during the interior war, the Kawina people were also deprived of the possibility to live according to their traditional customs and rules. The western culture is penetrating into their lives, which is disastrous for the traditional norms and culture. The communities cannot live close together as they did in their villages, and consequently direct communication, social contact and "social control" have decreased. Traditional customs of cooperation and sharing, of respect and bonding, are lost. One interviewee beautifully stated: *with the loss of the material the immaterial also was lost*. This is a very important statement; it shows once again how much the tangible and intangible world of the Kawina are connected; how much their social and spiritual live with all its norms and rules is inseparably linked to the forest and laws

of nature. Their rituals are linked to specific places and land characteristic, and cannot be transferred to the city. This explains why many of the interviewees expressed how lost their elders felt after they were forced to flee to the city (and many of them quickly died in the city) and how lost even the younger generation feels. Deprived of the possibility to live in their natural environment, they feel that a part of them, of who they really are, is lost. This also explains why many of them also state that if the houses, schools, etc. were built again, they would happily go back to their villages.

#### **Traditional authority Java**

We lived as one big family and we almost didn't know who our immediate family was. We used to look after each other. None of us would pass another without greeting each other and if elderly people needed help it was automatically provided. If you did something wrong in one village and went to another village, the people in the other village would punish you as well. The police never had to be involved in conflicts.

#### **Traditional authority Gododrai**

There was more respect and discipline, we lived in peace and we shared what we had. There were places where different ethnic groups were cutting wood, which was sold to Bruynzeel wood company. Cooperation and sharing has decreased and an aggressive self-interest has developed among the Kawina people. Previously we could eat and drink freely in the villages, people treated each other well, but now they just "take".

#### **Older men/women & men/women**

The mindset is different and we no longer live as brothers and sisters. Each of us "fights" for our own immediate family. Just take a look at the concessions for example, only the captains profit from them. The captains do not honor the Granman anymore; they do not talk to the Granman anymore before they ask for concessions. They also do not consult the head captain.

### **5.3. Traditional livelihood activities**

The traditional livelihood activities before the war were all linked with the land and forest and included hunting, fishing, agriculture and logging, and later gold mining and balata bleeding. After the war gold mining and commercial fishing have increased in the traditional areas of the 5 Kawina villages.

#### **Compilation Women Gododrai & Traditional authority - Java**

We used to go up to Sarwakriki behind the hill to cultivate land. It is the most remote creek of the Little Commewijne. The land was very fertile. Before the war crops were not treated with pesticides. Sugar cane, watermelon, cassava and sweet potatoes grew very well at Java. Java was also known as little Coronie, because of the many coconut trees growing there. During the war the army soldiers used to drink coconut water from these trees.

#### **Granman Bonno Velanti of the Ndyuka tribe**

In the past the area was known as a wood-rich area. Balatableeding was a main economic activity and I also worked in balata bleeding. The Aukaners (including the Kawina people) have been involved in searching for gold for a long time. First they were especially involved (by others) in woodtransport by boat and searching for gold in the areas of which they had a good knowledge. Since 1920 they search for gold on their own.

While hunting and fising we encountered locations where we found gold. We brought people from the caribbean and dutch people to these locations and we worked for them. After the foreigners left we started searching for gold by ourselves, with our hands, but nowadays it happens on larger scale with the use of machines.

#### **Traditional authority Java and Peninika**

There was plenty of fish in the area, but now it's different because of the effects of gold mining. The anjoemara fish have migrated to the creeks that are not polluted yet. The anjoemara of Commewijne had no worms, everyone knew that. When we went fishing it was not allowed to let the fish decay in the net. After a week the catch was large enough and the fish was carried away in a baskita (basket).

The use of neku (barbasco, a poison used for fishing<sup>1</sup>) is allowed below the sula but not above the sula or else you can end up dying. Below the sula there is a rock which is white on one side and black on the other side.

Hunting would bring us very far, up to the foot of the Nason (Nassau Mountain). Traveling by boat was not easy, because there were always trees that fell down over and into the Creek. We did not go up to the watershed very often.

We used to cut trees, such as Wanakwarie, Kopie, Loksi, Bruinhart, Groenhart en Wana. Nowadays many other wood types are taken from the forest.

## **5.4. Intangible Heritage**

Consultation shows that the Kawina people have an impressive intangible heritage within their traditional area. Many stories were told that included places of historical and spiritual value. The stories also reveal a great loss of (and fear of losing) intangible heritage of the Kawina people. This fear is very real because:

1. The intangible heritage is closely linked to the land where they used to live in the villages. Most of the rituals are linked to nature and specific places in the forest and waters, and these cannot be transferred to the city.
2. Most of the Kawina live in the city and especially the younger generation is exposed to the city culture, which is resulting in loss of traditional customs and culture.

As a consequence the unity, belongingness and sharing with each other are lost. The preservation of intangible heritage requires the preservation of the forest where they used to live and also requires exposure of the younger generations to the forest as well as educating them in traditions and the importance of keeping the forest from getting polluted and wasted. That is why it's so important to them to spend the school vacation in the villages with the children.

#### **Older women Awaa**

The Gods we were worshipping have been left behind when we left the villages during the war. The Gods are displeased because of this and as a consequence they have let the people down (abandoned them). The communication between the Gods has stopped and offerings are not practiced anymore. Because they are displeased the death rate among us has increased.

#### **Traditional authority Peninika**

When we enter an area, or go hunting or fishing we say our prayers at certain places. If we do that we will not meet with snakes and such things, because the spirits will protect us. At Tempatie mofo (mouth) en Peninika mofo we used to pray. We had large prayer camps there. Also at Agrikate. I also spent New Year's Eve there. I will go there in a few days and I will take my panggi with me to dress the place where we say our prayers (Ed. A panggi is a piece of cloth which can be used as a cultural dress or for spiritual purposes, to convey a message or to express respect. A young girl for example receives a panggi when she becomes a woman).

#### **Men Java**

We used to work with winti en sweri. There were people who could heal others. But they have all passed away. *Den winti nanga sweri ben hori baka gi wi* (their winti and their swears were keeping us strong). (Ed. Winti is the manifestation of a spirit and a sweri is a binding agreement with the spirits).

#### **Traditional authority Peninika**

There are some places where you have to respect the trefu (a taboo). For example we do not visit a cemetery at random. Only to the older cemeteries you can go whenever we want, because the people have died a long time ago. Kondi is a place at Tempatie where we do not easily set foot on land, because there are many rules we have to follow before we can do that. (Ed. Kina presi is a forbidden place, a place with trefu or a place with special rules).

### **Men - Gododrai**

At Tempatie there are some old cemeteries where the kina puts us back in the boat if we try to enter the land. Sani o poti yu na boto baka (something puts you back in the boat). Somewhere in Tempatie kriki there is a whirlpool and at the bottom there is a kapa (a great big iron pot for cooking, used during slavery) but we would not dare to take the kapa away.

### **Traditional authority/Elderly - Awaa**

Tempatie has a few kina presi. We are not allowed to defecate in the water and to wash off blood of dead animals in the water. You also cannot call the names of cemeteries, we can exchange signs, but we are not allowed to speak out the name. Atiyekriki is also a 'ogri' kriki (bad creek) with kina. It is past the convergence of Little Commewijne and Tempatie. There we have to be very careful with what we do.

### **Complitation Women - Java, traditional authority**

Our traditional manners, custom and culture should be kept alive because it encourages better behavior. Our historical places and traditional rituals should be maintained. Succession of the captain through the maternal line must be kept.

It is important to keep the *faakatiki* (flagpole - place for rituals or offerings by a high priest), and things such as *Munu Oso* (house for women where they stay while having their period) and *Fagi Lanpesi* (archway at landing place for boats) are very important. Also the *Gaawan Osu* (public place to hold krutu's) and the *puru blaka* ritual performed when someone passes away, are important. (According to Pakosi - De Gids, jaargang 153 a village only has the status of a kondre (village) if there is a faakatiki and a *kree-osu* - the official mortuary). Another tradition is the *Puru kon na doro*; after birth a baby would only be brought outside the house after 8 days.

### **Traditional authority Java**

Our Bigisma had a begi oso (house of prayer) at all the kriki mofo (mouth or convergence of rivers and creeks) to ask the Gods for prosperity. For example at Casewinica and Peninika and especially at the convergence of Tempatie en Little Commewijne, because there we used to take a boat to the other villages. When we pass by, we make a stop, step on land and wash our face.

### **Traditional authority/Elderly Awaa**

We also used to have special days for our taki mofo ritual. *Na ala den kriki mofu (Peninika ini, Mapane krikimofu, Tempatikrikimofu) den sama ben du den taki mofo. Den san dati ben hori baka gi al liba.* (At all creek mouths we would perform our taki mofo ritual. This would keep the people of the region strong). We still practice taki mofo but previously we used to have special days for this. (Ed. In this instance "liba" - which literally means "river" - refers to the people and the place they live; the word "liba" is often used to refer to the people who live at the specific river).

### **Young men Java**

My grandmother used to throw sweets into the water at the Casewinica crossing. She would pray that nothing bad would happen to us in the forest. In the evening she would tell stories that we could learn from. Nowadays we don't have all that; all those elders have passed away.

### **Traditional authority/Elderly Awaa**

At Bojo sula in Little Commewijne, there is a stone under water (a bojo). Wan ogri presi fu a liba, wan kina presi (It's a bad place in the river). I will tell you why. There is lots of fish there, but we cannot use the ponso method there (poison the fish with neku from a vine), otherwise we get very sick. The creek is overgrown with neku vine which makes it hard to get through. We cannot go through the sula because the current is too strong. It is as if the stones were mysteriously placed there (by someone or something).

### **Older women Awaa, Traditional Authority Java**

In Little Commewijne Creek we do not wash pepper in the water or throw pieces of pepper in the water. If we don't obey the rules the river runs dry or at night the tide suddenly rises. Most women never went further than Pikin Kawina (Mungotapu) because there was a kina or trefu. When our women had their monthly period they were not allowed to access the area, because this could be fatal. If people want to go and work there they have to pay respect to the kina, otherwise this could result in their death. The kina has already killed 9 people, because they neglected the rules.

### **Traditional authority Peninika**

Sekrepatoe sabana was across Java. Red turtles used to be there. They were not good to eat. When I used to leave from Java through new Gododrai on my way to Mapane, I would pass this savanna. I also went to Little Commewijne Creek up to Palulu kampu. A large cemetery is there. I used to cut wood - Pisi, Bruinhart, Wana and Kopie – in the Tempatie area. Bruynzeel has worked there for many years.

### **Compilation Traditional authority Peninika, Older men Java & Women Peninika**

We should protect the forest for our children. Our traditional agricultural plots should not be lost and the traditional values and norms should be kept alive. The young have to be educated about our history and culture. Nowadays they increasingly choose for the church. The young ones in the city should also get the opportunity to connect and bond with each other.

**Individual young man - Java**

The material and immaterial belong together. When you have your own house, you also have a certain amount of peace on the mentally/spiritual plane. Because of the war we lost the material, and the immaterial also got lost. People have become selfish and mean. Even if we go to the villages by bus, it doesn't work. First you have to bring back the material structures and then the immaterial will come alive again.

**Traditional authority Java**

The belongingness and the social control have to be restored. On New Year's Day we used to walk from house to house to wish each other a good new year. We used to have a krutu (meeting) to talk about the New Year and our plans and community members older than 60 would receive a food parcel.

## 5.5. Conclusion

Information from literature, maps and consultation with the Kawina people related to their traditional social structures and customs show that:

- The matrilineal structure of the Maroon tribes is the foundation for the governing and social structure of communities: it regulates the succession of traditional (authority) functions as well as responsibilities and rights (e.g. right to speak, right to land) and relations between community members.
- They have a history of practicing rituals and healing practices and an impressive intangible heritage within their traditional area, including places of historical and spiritual value. However interviews also reveal a great loss of (or fear of losing) intangible heritage because of the interior war, as they have been deprived of the possibility to live according to their traditional social and spiritual customs and rules which are inseparably linked to the forest and laws of nature.
- The Kawina people still consider the land as their collective territory. People are still buried on the land and (other) spiritual ceremonies and rituals are regularly practiced in their territory. During the school holidays families stay in their villages.
- Kawina speak their own language. Places and important cultural activities are named in their mother tongue.

## 6. GOVERNANCE STRUCTURES, DECISION MAKING AND LAW

This chapter provides a description of the knowledge, opinions and experiences of representatives of the Kawina community related to their traditional governance structures, decision making processes and law. It also provides insights into the changes in systems, the role of women and distribution of benefits. When information from literature is included this is explicitly mentioned.

### 6.1. Traditional governing system and leadership

The Ndyuka are ruled by a “Granman” as the highest authority of a tribe. The Granman is assisted by a number of head “Kabiten” (Head Captains - one for each lo) and captains. A captain is head of a village and is assisted by basya’s and a number of important people such as elderly men and heads of matrilineal lines. The basya has the executive power. When religious issues play a role in matters of governance – which is often the case – the priests also function as fellow-governors. The function of Granman is sometimes combined with that of the high priest. In any case the successor is educated in governance as well as religious matters.

The Granman is appointed and installed in his position by his tribe. The Surinamese government is informed about appointment of captains and other traditional authorities. The government endorses the appointment officially and provides the Granman with a stipend. Other emoluments that go with the position are: a house in his village of residence and a house in the city, an outboard engine for water transport and an official uniform.

The Granman or a captain will never take a decision without holding a Krutu (meeting). Depending on the case (its nature, the seriousness, the family concerned) it is decided if a krutu is held either within the lo, within the village, with a number of villages, or at the residence of the Granman. In difficult cases one can always appeal against a decision. Only for serious crimes (suicide, manslaughter) the official authorities in Paramaribo are involved.

Each village takes care of its own governance for day to day affairs. Family affairs are settled between families. In each bere the elderly can participate in meetings and decision-making processes with the captains. Each village usually also has a council of elders. Each osu (a matrilineal kinship group of individuals with common ancestors – see paragraph 5.1.) is represented in the council. The council discusses the case and suggests a solution or provides advice to the captain.

According to Pakosi<sup>70</sup> at present politics can have a big influence on the appointment of a captain because the Government also appoints captains. The appointment of a head captain by the Government is against tradition and it weakens the traditional structure of governance. Very often the captains appointed by the government do not have the respect and authority of the people

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<sup>70</sup> Pakosi, A. De Gids, jaargang 153, 1990. [http://www.dbnl.org/tekst/\\_gid001199001\\_01/\\_gid001199001\\_01\\_0145.php](http://www.dbnl.org/tekst/_gid001199001_01/_gid001199001_01_0145.php)

because their appointment is not based on tradition and the position of head captain is perceived to be misused by the government.

Pakosi<sup>71</sup>: “A gaanman (Granman) is the representative of God on earth, the Benpenimaunsu. He must live by His divine rules. Time and again, the colonial and postcolonial society have found the Granman and his headmen unwilling to comply with their instructions, not because these leaders have been set on provoking the authorities in Paramaribo, but rather because they have felt it their first duty to obey the divine powers. Instructions from secular authorities, from a District Commissioner or a military commander, cannot be fulfilled if these conflict with divine rulings.”

“Each tribe has a number of captains and basyas. The captain is head of a lo and of a village that has the status of a kondee (Kondee, or kondre which literally means country). (...)A village only has the status of a kondee if it has a yooka-faakatiki; a prayer-pole for the ancestors’ spirits, and a kee-osu, an official mortuary, a hut where corpses are laid before the burial.”<sup>72</sup>

### The present Kawina authorities

The presiding Granman of the Kawina is Granman Bonno Velanti and the four present captains are: Frans Nijda of Peninika; Robby Noordzee of Java; Antonius Misidjan of Gododrai; and Glenn Nijda (acting) captain of Mungotapu. All of the captains live in Paramaribo. The acting captain of Mungotapu, a young man who has not been inaugurated yet according to the traditional ceremonies (the weti futu ritual), is traditionally not yet recognized. Also another captain did not undergo the ceremonial tradition but he decided not to do it because he has converted to Christianity and is a pastor in church. This is not accepted by everyone in the community, especially not the by the elderly. Awaa has no captain or basya appointed according to traditional structures, but as explained previously Jozef Nijda is treated as if is the captain of the village.

The Kawina do not have a head captain at this moment. It is assumed that one of the four captains will become the head captain but they are still discussing this between themselves. Traditionally it is clear who should become the head captain because he comes from the lo that delivered the last head captain and he is the successor according to the matrilineal line. However, this captain is not claiming the position while other captains are eager to take it.

## 6.2. Changes in governing system, legitimacy and conduct

A nineteenth-century Ndyuka village was virtually an independent republic. Most of its older citizens had a voice in village politics. The elders, men and women, particularly women with many children, and the spirit mediums all could influence social life.

“The daily affairs of the community were settled through lengthy palavers (krutu). A strongly democratic and egalitarian atmosphere pervaded village life. Usually young people did not participate directly in village government. Most women were not prominent in public meetings, but

<sup>71</sup> Pakosi, A. De Gids, jaargang 153, 1990. [http://www.dbnl.org/tekst/\\_gid001199001\\_01/\\_gid001199001\\_01\\_0145.php](http://www.dbnl.org/tekst/_gid001199001_01/_gid001199001_01_0145.php)

<sup>72</sup> André R.M. Pakosie. *Arrogantie versus traditie, Paramaribo en het binnenlands gezag.*

they were heard behind the scenes. Yet, although a younger generation sometimes showed dissatisfaction, consensus was greatly prized and a key ideological tenet. Co-operative and harmonious living, and practices of sharing among many kinsmen and affine, were believed to be essential for the survival of Ndyuka communities.”<sup>73</sup>

The traditional governing and leadership systems are the same as before the interior war. However, because the majority of the Kawina people (including the captains) live in the city, it is difficult to keep the traditional structures effective. These structures heavily relied on the immediate contact between community members living in very close proximity of each other and the belief system of the Kawina which is closely linked to the laws of nature and related to the characteristics of the land and forest in the villages. One observation from interviewees was that the traditional system of appointing captains and Granmans is not applied consistently anymore which already resulted in serious disputes within tribes. Another observation is that it was never very clear which rules should be followed regarding the sequence. Since currently more is at stake, issues arise.

The captains do not seem to communicate as much with each other anymore and some of them do not seem to involve their basya's as much as they used to while living in the villages. They also do not seem to deliberate with the community members as much as before. The involvement of captains in conflicts between community members has also decreased immensely, and the captain is only involved in very serious conflicts and in marriage and deaths.

#### **Compilation Men, Women, Young people**

Previously the captains were born in the villages, and we all used to live together in a village. We could visit the captain personally. They would deliberate with the community, even if it took hours. The current captains are “city captains”. Now all happens through the phone. Nowadays most Captains do not take sufficient care of their village. They have accepted the position, but they do not work for us and they don't deliberate with us anymore. They are after wood concessions and mining concessions for themselves. Because of the concessions the captains turned into some kind of emperor and a distance was created between them and the community. They don't hear or consult the community and they do not propagate unity. *A tiri no kenki, ma a taki kenki* (the position did not change but the talking changed).

#### **Young Men - Java**

Da Ten Ten (former head captain of Peninika) en captain Sante (Java) used to get together when conflicts would arise. They would reach an agreement and present their decision to the council of elders. In the village the captain was like a father. We would also go to him for domestic conflicts, but in the city this does not happen anymore. Only when there are very serious domestic conflicts we involve the captain, and he decides what happens (a sanction - for example a fine has to be paid).

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<sup>73</sup> Andre Pakosie. *Maroons and the government, the Aukaners after October 10, 1760, introduction.*

**Focusgroup young people - Java, Peninika, Gododrai**

The captain is still involved when there are serious problems, everything that would cause big trouble in the village, or when someone dies. When you get married you also have to invite the captain and send him a bottle of whiskey. If you don't you cannot call upon him if problems appear in the marriage.

**Young miners/young men**

The Captains were put under pressure in a *krutu* to give us a mandate to negotiate with SURGOLD. The *krutu* was meant to recruit young people to support the captains. From the very beginning we involved and informed them about our activities. We used to report to the captains twice a week. We spoke with them about the importance of ESIA, the mining Act, negotiation tactics of multinationals, etc.

### 6.3. The role of women

The importance of women is closely linked to their capacity to have children; they bear the children who become captains and Granmans and they have a voice in choosing the *basya*. Some also acknowledge the capacity of women to work hard (especially in agriculture), to have good ideas and proposals, and to take wise decisions to the benefit of all.

The fact that women nowadays can also become captain or *basya* is an acknowledgement of their leadership capabilities. Like all community members, women (especially from the matrilineal line of the captain and other family clans) are not only free to express their opinions in *krutu*'s, but they are also expected to do so, and their opinions are also considered in decision making. Women are consulted whenever there is an issue where they could give good advice, especially in family issues or land issues. If women do not agree in these matters, the captain cannot take a decision.

**Compilation Traditional authority, Men, Women**

The power of the captain is with the women. *Yu taki sani fu a kondre ma mi no man piki bika un mu go na den mama fu a kondre* (We cannot take decision for the village without consulting the mothers). Our women give birth to the children who will choose the captains from among the uncles. This makes the women very important. *Deng Uma kan mek a famirie gro, if a no abi pikin a no abi makti* (The women make the family grow and without children they have no power). Women give birth to children and their daughters maintain the village. The women make the *bere* and the captain and *basya* are chosen from this *bere*. They discuss who becomes *basya*. If a new captain is proposed, 6 women come together to decide if it's a good choice. Women can also become captain or *basya*. Granman Gazon – for example - has appointed a female head captain.

## 6.4. Decision-making and negotiation

Decision-making for important issues is based on consensus (agreement). If there is no consensus the captain has the decisive voice. The council of elders can also play a role and people with a certain status who usually have a positive contribution, as well as highly educated and experienced people are always listened to. Diaspora also have a voice in krutu's as far as it does not oppose the interest of permanent residents.

Reaching consensus can take many days. If opinions are too far from each other during the krutu they choose to 'go na se', meaning the krutu is suspended for that moment and stakeholders go aside to discuss the issue in their group and take a position. This institution of having internal discussions seems to work very well, although it can take time. Within the lo education plays an important role and families with a higher level of education have a dominant role within the Kawina community.

### Young women - Java

Our young ones who are educated should get a chance to contribute to decision making processes and negotiating. It's a bigger challenge if only the traditional authorities are involved.

### 6.4.1. Decisions about land use

Each community member still has access to the land within the villages they belong to. Houses are built and agricultural plots are made, even after the interior war. Families know where the land of their bere is and are free to use it. Some communication about land use takes place especially between the women, but this has more the character of information sharing than asking for permission. To work in another village permission is needed from the captain or one of the elderly people. However, if this work has to do with traditional livelihood activities, other than agriculture plots, one is allowed to use the land without request for permission. Everyone else who does not have a traditional bond with the village needs permission for any land use. For commercial purposes permission from the District Commissioner (DC) is needed. Concessions are granted by the government

Community members seem to have the impression that the government has appointed the captains as managers of the community forest and that the captains are in charge and responsible for the financial management.<sup>74</sup>

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<sup>74</sup> The ministry of Physical Planning Land and Forest Management (*Ruimtelijke Ordening, Grond en Bosbeheer*) introduced the system of Community Forest (CF) to replace the so called Wood Cutting License (Houtkapvergunning – HKV). The purpose was to improve management and sharing of benefits. The procedure set (by the 1992 Act) for the community forest is that the benefits should be deposited into a village account which has to be managed by a commission established by the village. The commission should also manage the CF. The captain can be a member of the commission (but it's not required) and he is entitled to a share (determined by the commission) of the CF benefits. A problem is that the previous

It seems like traditional authorities are involved in facilitating villagers to work on community HKV land or community forest if this is for commercial purposes. This is not the case when small scale gold miners decide to work in the territory. Traditional authorities are not involved in any agreement process or in giving permission to small scale miners to use the land. The traditional authorities are as such also not advancing from financial benefits or otherwise. They do claim that they are only involved when problems occur.

**Traditional authority - Gododrai**

Before the war we could freely work in the forest. Now we need permission from the District Commissioner (DC) to cut wood for commercial purposes and to clear a piece of forest for agriculture, because it is considered to be state owned land (domain land), and you have to get permission through the domain office. We have to deposit part of the income from woodcutting in the village account. It was not like that before; it was optional you did it out of freewill.

**Men - Gododrai & Peninika**

The present captains act as if the forest is their property. That's why I don't talk to them about using the forest, because it will cause trouble. The people don't own the forest anymore. The only thing the captains do not prevent us from doing is hunting. How is it possible that the captains own the forest? The system has to change; the forest should not belong to the them. The captains rent the forest to the Chinese. We used to cut trees our self. I used to cut babun udu with my father. From the swamp we would push the trees towards the Creek. The captains have decent earnings from logging, but the earnings are not used and managed well. They do not listen to us.

**Traditional authority - Gododrai**

Before the war we could freely work in the forest. Now we need permission from the District Commissioner (DC) to cut wood for commercial purposes and to clear a piece of forest for agriculture, because it is considered to be state owned land (domain land), and you have to get permission through the domain office. We have to deposit part of the income from woodcutting in the village account. It was not like that before; it was optional you did it out of freewill.

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HKV were issued in name of the captain (but meant for the benefit of the village). After it appeared that there was hardly any transparency about the benefits of the HKV, the CF was introduced and most HKV were converted to CF. However after the conversion the captains were still managing the CF and there still was a lack of transparency about the monetary benefits of the CF. Source: Expert on Maroon communities.

### 6.4.2. Distribution of benefits

There seems to be some distrust from the side of some community members towards some of the captains when it comes to management of funds. Even after a change of the CF system<sup>75</sup> according to some villagers there is still no transparency about funds and this obviously causes a flow of rumors about the use of CF benefits, while some even speculate that only the captains family benefits from CF income.

With the purpose to benefit the community the organization of the young miners invested some of their income from gold mining in constructing a quest house; a building with a canteen and a few rooms in the Mapane area. The organization itself manages the guesthouse and it is unclear what benefits are produced and if the benefits are spent for the community or another income generating source for the young miners.

CBOs have been able to collect some funding for activities with the purpose to spend these for the benefit of the communities, but their activities appeared not to be sustainable, probably because the activity status of the CBO's generally depends on very few individuals, and often was not consistently supported by the captains.

#### **Young people - Java**

The Ministry of Regional Development (RO) could tell you some stories about conflicts between captains and the communities about the use of income from gold mining. There are lots of conflicts, but RO does not dare to take action. I spoke to RO about these issues, but there was no improvement. I resent RO for this.

#### **Traditional authority - Java and Peninika**

Those who undertake economic activities do not contribute to the development of the villages. We also don't demand anything from them.

<sup>75</sup> After the introduction of the community forest as replacement of the HKV, it appeared in practice the captain still had a strong voice in the CF commission (as explained in footnote 69 in paragraph 6.4.1), so the Ministry of Regional Development introduced a system where the income from the community forest is deposited in a bank account managed by the office of the districts commissioner. The captain receives a percentage of the income (about 10%) and after all costs are paid, the remainder is meant to be spent on community projects or activities after authorization of the districts commissioner. However, the captain also has an influence on the decision making process and the system still seems not be working very well.

## 6.5. Communication

Information is shared through krutu's or through radio Koyeba and Asosye television or by word of mouth. There's also a Kawina App group for information sharing but it is not used by many. Especially the Noordzee family is active on it and the diaspora (living abroad) are also part of this App group. At least two persons living abroad participate actively. They are consulted frequently by the locals, and their advices are very important to the group. Sometimes they know more than the Kawina living in Paramaribo, and they can get their hand on information much faster. Some interviewees have reservations about the way traditional authorities are sharing information from Newmont, saying for example that the information is not spread on time.

### **Focusgroup young people - Java, Peninika, Gododrai**

Radio Kojeba is a very important means of communication for us. Every day at 6 o'clock we listen to the announcement of deceased people. Everybody has to be silent during this time. Our krutus take place in the BEP Centre and at another location at Indira Gandhi road.

## 6.6. Conclusion on traditional protocols

Consultation of communities resulted in the following conclusions on traditional protocols, as related to negotiating and agreement making with the company:

- The krutu - a traditional meeting - is an important decision-making body. It is held on different levels, lo, bere, village, tribes territory or otherwise. Decisions are made based on consensus meaning the krutu may take hours, or even spread over several days.
- The Granman is highly regarded traditionally and should always be consulted and informed when it comes to negotiation and agreement making of communities with third parties.
- Although individual captains are criticized by some interviewees for their performance, the traditional structure is still respected and functioning. Interviewees generally are of the opinion that the traditional authority should have the lead in negotiating and agreement making, but they also think that all stakeholders within the communities should be involved.
- In the matrilineal structure and as such in the sequence of the traditional authorities, the role of the women is important and also in decision making, especially in family issues or land issues.

## 7. DISCUSSION OVER COMPANY LAND USE AND ENGAGEMENT STRATEGY

This chapter provides some thoughts and opinions of interviewees about engagement strategies and the capacity of communities to negotiate, as well as suggestions from the communities for the engagement and agreement making process.

### 7.1. Engagement strategy

*Agreements – written and unwritten - are sanctified;* Granman Bonno Velantie emphasized that during marronage (slaves revolting against and fleeing from slavery) the peace treaties were sacred but the oral agreements were sacred as well. He also clearly explained that agreement making is part of the engagement and negotiation process of the Kawina people themselves; it is not the Granman his job. The Granman informs and gives advice and he also might benefit, but it's up to the Kawina people to negotiate their own agreements. Government support is perceived as being influenced by politics and therefore perceived as not trustworthy and ineffective.

Some village people do not believe in the reliability of certain members of traditional authorities when it comes to business and financial affairs, and some also doubt their management capacities. So, they think it is important to make sure all stakeholders within the villages are involved in the process. Granman Velantie also proposed to establish a commission consisting of traditional authorities and representatives of all stakeholders within the villages such as: men, women, youth, miners, loggers and an expert.

### 7.2. Capacity of the tribe to engage in negotiations with the company

Some villages are stronger than others when it comes to negotiation capacities, as expressed in the narration below. Some families (and related villages) are said to have more well-educated people and a good capacity to negotiate. However there is some distrust and a fear of being misled by them.

#### **Traditional authority – Java and Peninika**

We used to have a cluster to talk with Newmont. They talked for a whole year, but it didn't go well. Then they (Newmont) choose to talk with the captains. The members of the cluster were not selected by the communities. At some point all talking came to an end. Only recently the talks started happening again. We will form a commission to take care of the interest of the villages.

### **Men – Mungotapu**

When we do not understand them (the companies) then we say “*mi yere*” (I have heard) and we go home to think about it and to decide what we want to do, and then we come back with a reaction. We do not really have the expertise to negotiate with multinationals or the government. If we had more “*dya dya sama*” (strong people) we would progress faster.

### **Men – Java**

When it comes to negotiation we have our own people and we rely on our own people who have experience and/or are educated. We should have a lawyer, but we don't. We have people who can negotiate but they live far from each other, so it's difficult to get together and agree about what we want.

### **Older men – Gododrai**

The Kawina have highly educated people, but I do not know most of them, and there are some who I do not want to work with because they are not open and straightforward.

### **Younger People - Java**

I am the chair of the Java commission. We provide the traditional authority with legal and economic advice. These commissions were introduced by RO. I was elected as chair. We are family members who contribute based on our expertise. I am also the chair of the cluster of village boards. As the cluster of village boards we mapped our traditional area. We registered the number of men who work in logging, how many children the women have, etc. We did those things to enable the captains to make informed decisions.

A year ago I went as the chair of the cluster to take a look at the goldmining fields. During the pentecost school vacation I went to Java for 3 days to clean up. We mobilized a group through the group app of young people. Monique Pintoe of RO also joined us.

We as young people want to become entrepreneurs, while the older people want to keep the traditional way of living. Now they are using our uncles to work against us. With the new Granman I believe that the traditional authorities will change in a positive way.

### **Traditional authority - Java**

Our relationship with Newmont is good. Especially with Kojo (of Newmont) we had good interaction. In the BEP Centre we have often had meetings with Newmont. I can say it's going well. I have a commission in Java with 5 members; 2 men and 3 women who are educated at university or secondary school level. The commission is my working arm besides the basya's and advisors. My advisors are Edwin Noordzee, Roel Noordzee (the only uncle in the family) and Theo Noordzee who is an upcoming basya. I discuss everything with them first, so everything goes smooth when I discuss it within the larger family. I am the only captain who works in this way.

We have a circulation system in place among the captains for leading the cluster of village boards. At present I am the leader because of my educational level. I see good developments. Things go well. The people have told me that I should stay on as leader of the cluster. I am in the process of recruiting people to become basya. We, as captains have weekly meetings. I am the youngest one among the three captains and I am the last one of them who became captain. We have a good bond. I am leading the talks with Newmont or the government. I also used to have a youth organisation in Commewijne.

## **7.3. Conclusion**

The opinions and concerns of communities regarding negotiating and agreement making are as follows:

- The institution of traditional authorities is the body to make the final agreements. This institution is still respected. The Granman himself wants to be informed and will decide on the process after being informed.
- The Granman expects the Kawina people to be capable to negotiate their own agreements (after he is informed and consulted).
- Captains are expected to have internal meetings between the traditional authorities and with the communities (each captain in his own village). Nevertheless, the Granman suggests establishing a committee with different stakeholders such as traditional authorities, men, women, youth, miners, loggers and an expert.
- Some villages are stronger than others when it comes to negotiation capacities. Some families (and related villages) are said to have more well-educated people and a good capacity to negotiate. But there is also some distrust and a fear of being misled by them.
- The current Information sharing system is not as adequate and efficient as it should be.
- Communities do not always feel comfortable with their own position as compared to the company's position, and they do not always understand what is at stake. They indicated that they need access to legal and other experts.

## 8. CONCLUSIONS AND RECOMMENDATIONS

### CONCLUSIONS ON LANDOWNERSHIP AND PROTOCOLS FOR ENGAGEMENT

#### Land ownership

- The Kawina people consider the land as their collective territory, and claim land rights in the Sabajo project area. They have traditionally and collectively inhabited the Commewijne River area including the Tempatie, Little Commewijne and Mapane Creeks for at least 5 generations. Their history provides evidence of the historical occupation and use of the lands and resources; the development of traditional subsistence including ritual and healing practices therein and the use of names for the area, rivers, creeks, hills etc., in the community's language.
- The Saamaka/Saakiiki communities included in this study do not claim land rights in Sabajo project area. They have a pattern of habitation and land use of Commewijne River and Tempatie, but do not longer inhabit or use these areas.
- The Paamaka people do not claim land rights in the project area. They live in the west of the Sabajo Hills, in the watershed of the Suriname River. They acknowledge that the mountain ridge of the Nassau Hill (which also passes through the Merian Mine) is the border between their area and the area of the Kawina people.
- Indigenous peoples of upper Para region (Kari'na and the Lokono in the Carolina bridge area) do not claim land in Newmont's Project Area.

During validation meetings held with the Kawina and the Saamaka/Saakiiki communities on February 11 and March 10 respectively, these findings were confirmed by the representatives of the communities. Annex 17 contains the results of the meeting with the Kawina, Annex 19 the result of the meeting with the Saamaka/Saakiiki, and Annex 18 and 19 contain the lists of participants at these validation meetings.

As the Paamaka as well as the Kari'na and Lokono did not claim land in Sabajo Hills project area during the validation meetings on the results of Phase I of the Historic Narrative, it was not necessary to hold validation meetings with them on the results of Phase II.

#### Protocols, engagement and agreement making with the Kawina people

- The institution of traditional authorities is the body for agreement making. This institution is still respected. The Granman is highly regarded traditionally and should always be consulted and informed when it comes to negotiation and agreement making of communities with third parties. All stakeholders within the communities should also be involved. The Granman suggests establishing a committee with different stakeholders such as traditional authorities, men, women, youth, miners, loggers and an expert.
- The traditional krutu is as an important institution for decision making which is still respected by the communities. It includes traditional authorities, elders and villagers.

- The Granman expects the Kawina people to be capable to negotiate their own agreements (after he is informed and consulted and gave his consent).
- There is some negotiating capacity available - in some villages more than in others - but the communities need to be strengthened and supported by experts and legal assistance of their choice.
- The information sharing system (regarding the Sabajo project) within the communities is not adequate enough due to the weakness of the communication structure of the communities in the city (as compared to the structure they had in the villages).

## RECOMMENDATIONS

The following suggestions should be considered by Newmont in the process of engagement and negotiation with the Kawina people<sup>76</sup>:

- Communities should be approached through the traditional structures. The Granman is the highest in hierarchy of traditional authorities of Ndyuka, as well as all other Maroon tribes. Show respect for this institution and always inform the Granman and hold discussions with him first, unless he decides otherwise. Since making direct contact with the Granman is not respectful, he should be contacted through his secretary, captain or basya.
- Adopt the Granman's decision regarding engagement and decision making processes:
  - Keep the Granman informed;
  - For decisions related to Kawina communities, direct contact with Kawina is recommended; and
  - Create a transparent process for establishing a multi-stakeholder committee of Kawina traditional authorities, villagers and experts that can represent them in discussions.
- Respect the Krutu institution. It is the most important structure for decision making processes. Internal meetings might take a while because krutu's can be long, so take enough time in consideration when planning.
- Create a consultation structure to advise the company on taking consecutive steps in engagement and on sharing of cultural and gender sensitive information. The composition of the structure might be different for each subject, but certain key persons are permanent. Another formulation might be; establish a permanent team (committee) and depending on the subject experts, rights holders and others will be added to this team. Facilitation of adequate and efficient information sharing is a key to success.
- Provide committees on each level (village and tribe) with leadership training and capacity building on rights of tribal peoples, negotiation, project management, project finances and other subject/issues they consider important. Capacity building workshops should be culturally sensitive and structured according to their customs, capabilities and perspectives.
- Provide access to legal and other experts selected by the Kawina people; for the benefit of Kawina as well as the company, a committee which is representative for the villagers needs strong leadership.

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<sup>76</sup> These recommendations are based on data gathered through interviews with Kawina and report readings, and formulated by consultants

- Make sure communities feel comfortable and understand what is at stake. Include not only company experts in this process but also independent experts with knowledge of tribal people's culture and rights. Engagement is a two way stream; positions, perspectives and interests are different, and communication should not be limited to messages from the company to the community, but also include thoughts from the community to the company.
- Make sure that the position of Kawina in all processes is according their rights. When the company apply the FPIC proces, this proces must be meaningful and from a landrights perspective<sup>77</sup>.
- Provide forums for information sharing and interactions between members of Kawina communities, company representatives and government officials.<sup>78</sup>

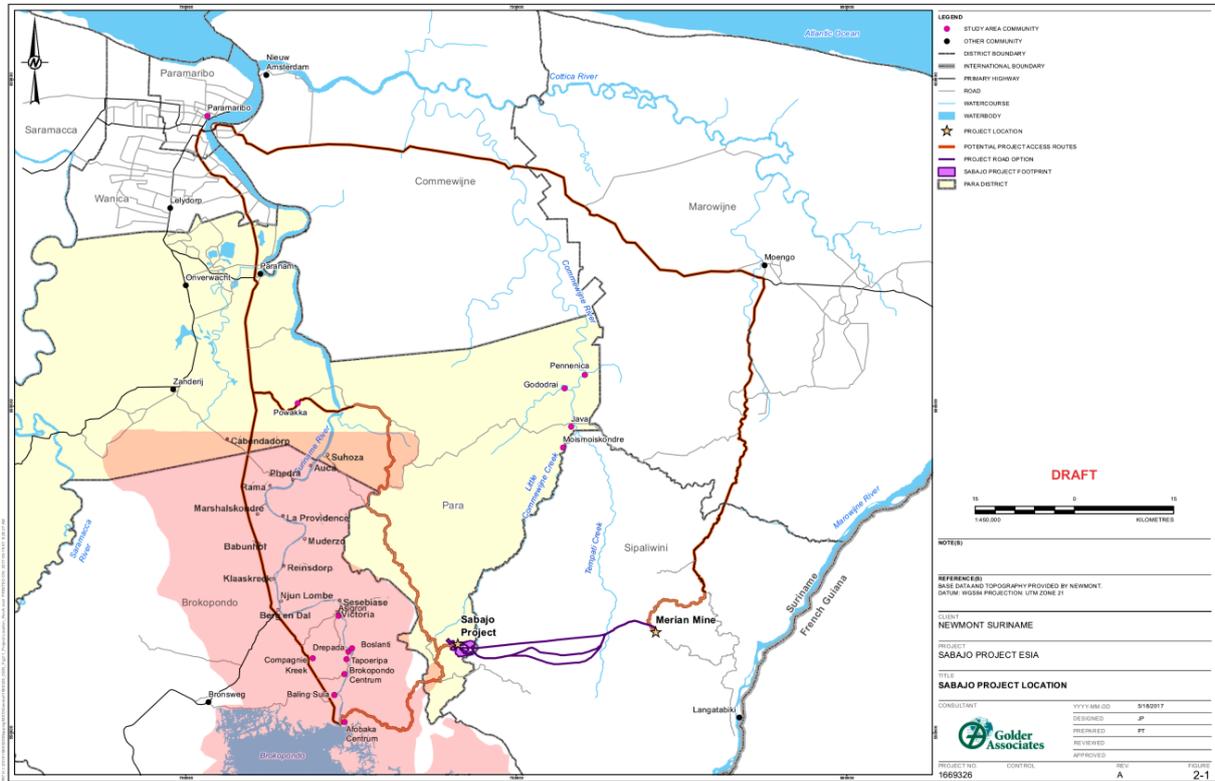
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<sup>77</sup> See also '*Free, prior and informed consent (FPIC) within a human rights framework: Lessons from a Suriname case study*', Sustainable Minerals Institute, University of Queensland , in summary on page 18/19.

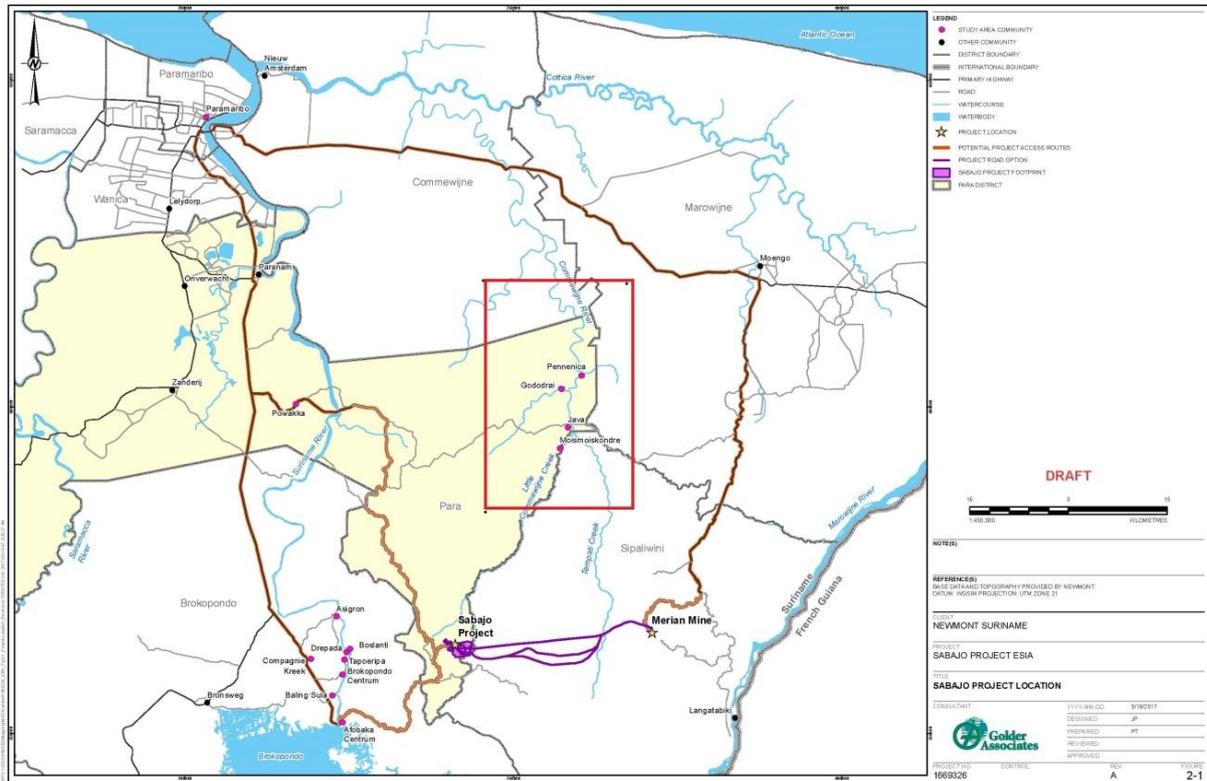
<sup>78</sup> See also in '*Determining our Future, asserting our Rights: Indigenous Peoples and mining in West Suriname*', A collaborative project between The Association of Indigenous Leaders in Suriname (VIDS) and The North-South Institute (NSI), in VIDS/NSI Project Finding #4: Company/Government/Community Interactions: Lessons Learned? on page 44/45.

# Annexes

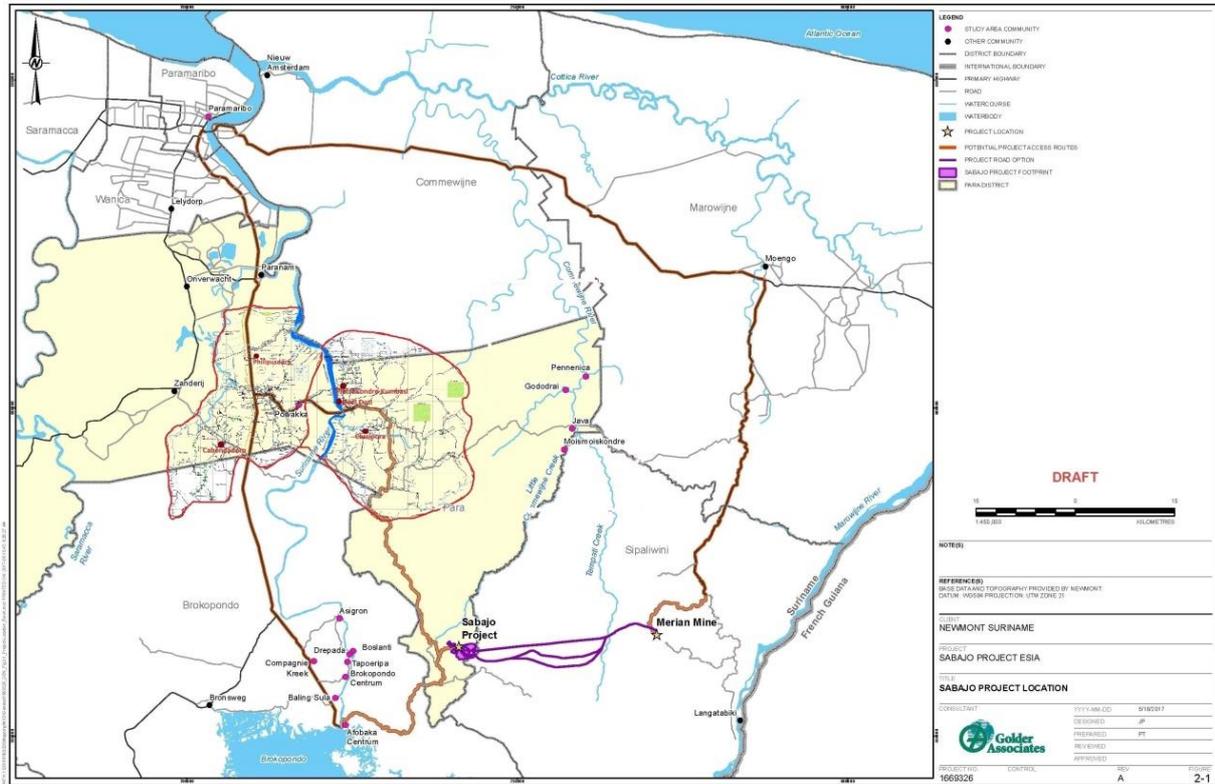
### Annex 1 - Projection of Saamaka Demarcation Map onto the Newmont Sabajo Project Area Map



## Annex 2 - Projection of Ndyuka Demarcation Map onto the Newmont Sabajo Project Area Map



### Annex 3 - Projection of the Karin'a and Lokono Map onto the Newmont Sabajo Project Area Map



#### Annex 4 - Participants at the Map validation meeting with Afobaka road communities

Mapping Historical Narrative Date: June 13 <sup>th</sup> 2017 Location: Multifunctional center Brokopondo centrum Community group: Afobakka road communities (Asigron, Drepada, Compagnie creek, Boslantie, Balingsoela, Tapoeripa)				
#	Name	Community	Position	Contact
1	Amentani Pina	Boslanti	Basja	8222068
2	Edward Mawi	Balingsoela	Basja	7406096
3	Maria Vola	Drepada	Basja	7151855
4	Ruben Pina	Tapoeripa	Basja	8645570
5	Rudolf Pansa	Balingsoela	Basja	8791843
6	Tilikie Boobe	Compagnie	Basja	487391
7	Desi Zeegenaar	Compagnie	Elder	8689029
8	Doebe Waisy	Boslanti	Elder	7114274
9	Donisie Menig	Drepada	Elder	8711147
10	Hesdy Pansa	Balingsoela	Elder	8953678
11	Humprey Finisie	Tapoeripa	Elder	8843186
12	Michel Kentie	Tapoeripa	Elder	8754346
13	Moese Maabo	Asigron	Elder	
14	Olga Pansa	Asigron	Elder	8901655

### Annex 5 - Participants at the Map validation meeting with Ndyuka communities

Mapping Historical Narrative Date: June 13 <sup>th</sup> 2017 Location: ABOP Centrum Nw. Weergevondenweg Community group: Aukanar communities in the Commewijne River area (Jave, Gododrai, Pennenica, Mungotapu, Moisi Creek)				
#	Name	Community	Position	Contact
1	Antonius Misiedjang	Gododrai	Kapitein	8874955
4	Frans Nijda	Peninika	Kapitein	8632596
2	Frans Noordzee	Java	Kapitein	8916298
3	Glen Nijda	Mungotapu	Kapitein	8168330
5	Peet Noordzee	Java	Basja	8823461
6	Verginia Noordzee	Java	Basja	7262650
7	Abbert Jopoi	Peninika		7241783
8	Arno Hardley	Peninika		
9	Baapai	Java		
10	B. Misidjan	Moisi Creek		8626174
11	Cecil Noordzee	Java		
12	F. Dawsa	Peninika		8832255
13	Ivy Hardley	Peninika		
14	Jacobus Nijda	Mungotapu		
15	Kathleen Misiedjang	Peninika		8711744
16	Martha Hardley	Peninika		8572664
17	Moewerie Noordzee	Java		
18	O. M. Profijt	Moisi Creek		8820252
19	Rinia Hardley	Peninika		8561022
20	Ronald Noordzee	Java		

### Annex 6 - Participants at the Map validation meeting with Eastern Para Indigenous communities

Mapping Historical Narrative Date: June 14 <sup>th</sup> 2017 Location: Community building Pierre kondre Community group: Eastern Para (Pierre kondre-Kumbasi, Powakka, Philipus, Cassipora, Redi doti)				
#	Name	Community	Position	Contact
1	Billy Sabajo	Pierrekondre	Basja	8895507
2	Harriette Vreedzaam	Pierrekondre	Basja	
3	Johan Sabajo	Redi Doti	Basja	8714229
4	E. A. Stuger	Redi Doti		8877294
5	Glenda Sabajo	Pierrekondre		8563566
6	Harvey Read	Pierrekondre		8725332
7	I. Sabajo	Pierrekondre		8844655
8	Jerry Sinambie	Pierrekondre		8620342
9	L. Joeraja			8755853
10	L. Herman	Pierrekondre		
11	Martinus Joeraja	Pierrekondre		8836771
12	N. Biswane	Cassipora		8909503
13	Purcy Joeraja	Pierrekondre		8878276
14	Purci Martin	Cassipora		8881996
15	S. Orassie	Cassipora		8639322
16	Wonnita Herman	Pierrekondre		8905200

### Annex 7 - Results of the Map validation meetings

Saramacca	Kawina	Karin'a and Lokono
<p>Representatives present: 14 of which 4 female and 10 male. 6 were basyas and 8 elderly people.</p>	<p>Representatives present: 20 of which 15 male and 5 female. Four village heads (<i>captain</i>) and 3 basyas.</p>	<p>Representatives present: 16 of which 10 male and 6 female. Four were basyas.</p>
<p><b>Results:</b></p> <ol style="list-style-type: none"> <li>1. The Saamaka people of villages in Brokopondo do not <u>live</u> in the Newmont project area.</li> <li>2. They have historically used the Newmont project area for traditional livelihoods. Creeks on both sides of the river are being used.</li> <li>3. The Commewijne Creek area is used for logging; they have HKV (Wood Cutting Licenses) for specific areas, on both sides of the river.</li> <li>4. They search for gold in the Sabajo Hills area, but do not live there, they stay in camps for extended periods, sometimes even for a year.</li> <li>5. It is possible that the Paamaka and Ndyuka also use the project area.</li> <li>6. They feel the need to verify the location of their HKV with respect to the project area.</li> </ol>	<p><b>Results:</b></p> <ol style="list-style-type: none"> <li>1. At present the communities live in villages surrounding Java. The villages are all presented within the SSDI map and the map <u>at least</u> represents the land where they live.</li> <li>2. The area surrounding the SSDI map, especially to the south of the SSDI map border (Little Commewijne) is being used for fishing, hunting and searching for gold. The Little Commewijne runs through their traditional lands and when they go hunting and fishing there they don't stop at the border on the map.</li> <li>3. The communities have HKV's across the border of the traditional territory (to the south).</li> <li>4. They are concerned that the environment will be destroyed because of project activities.</li> </ol>	<p><b>Results:</b></p> <ol style="list-style-type: none"> <li>1. The presented map shows the traditional territory of the villages. Sabajo Hills does not overlap with the Karin'a and Lokono territory and the villages do not make use of land near the project area.</li> <li>2. Community members travel across the borders of the traditional territory for traditional livelihood activities.</li> <li>3. The communities have Community Forest outside the traditional territory (demarcated area).</li> <li>4. They are concerned about environmental effects such as contamination of rivers and creeks and forest degradation.</li> <li>5. They would appreciate more detailed information from Newmont.</li> </ol>

## Annex 8 - Report of the discussion with the Saamaka community representatives

The main points of concern put forward by the Saamaka community representatives at the meeting are as follows:

- The distances between the villages and the project area are not as long as it looks on the maps. For example: when employees of Newmont have their break they visit *Boslanti* village. A walk from Boslanti to Little Commewijne creek takes about 3 hours (which is not a long walk for them). Even though it doesn't show on the map, Boslanti and *Tapoeripa* villages are so close to each other that they practically are one village.
- People of all villages have activities across the Little Commewijne Creek in the Sabajo project area. They have traditionally used the land, and still use it for hunting, fishing, and logging.
- When a village member dies, community members set up a camp in this area and sleep there for a few days.
- The communities or members of communities have wood cutting licenses (HKV) about 9.5 km across the river (Boslanti). HKV are on both sides of the river and there are specific types of wood that they harvest in this area, which they can't find elsewhere.
- Because of a lack of employment opportunities members of communities also participate in gold mining activities in the Sabajo Hills area. They "search for gold" within as well as outside the HKV areas. The "gold searchers" do not live in the project area, but they do stay there in camps for extended periods
- Some villages like Asigrón and Botopassie are very close the project area and people from these communities make use of the land near the Commewijne River and the Sabajo Hills for traditional livelihood activities, as well as logging and gold mining.
- During the validation of the Saamaka map one villager explained that Paamaka are also working in Newmont's project area, in an effort to justify that the Commewijne River would "belong" to the Paamaka villages. This land is not part of the Suriname River watershed and as such also not demarcated by Saamaka. It is outside their territory map. The territory on the map corresponds to the watershed of the Upper Suriname River.
- Others were indicating that Little Commewijne Creek is used by the Brokopondo villages. It was also said that historically creeks are used to decide on borders; *If a doti watra e kon na mi dorpu dan a kreki naf mi dorpu* (If the dirty water in a creek flows in the direction of my village, then the creek belongs to my village).
- On the other hand it's also possible that others (Paamaka, Ndyuka) make use of the same area for hunting, fishing, agriculture, logging and gold mining. A few names of creeks they use in the area are mentioned: *Sedoe kiiki*, *Busiman kiiki*, *Basja kiiki*.
- The communities fear the possible contamination of rivers and creeks by waste disposal.
- They are concerned they might not be allowed to use concession areas anymore for their traditional activities and livelihoods, because this has happened in the Sarafina en Bissumbhar concessions.
- Participants are of the opinion that Newmont is communicating well with the villages. There is some fear however, that Newmont will not keep its word, meaning that if an agreement is reached with Newmont, they are afraid that Newmont will not live up to the agreement.

### Annex 9 - Report of the discussion with the Ndyuka community representatives

- The representatives were of the opinion that the area which the communities use for their livelihoods is actually much larger than the SSDI map shows. They argue that the SSDI map was not the final map (at the time it was developed); it was not designed in an extensive way and does not show all areas used by the communities. The HKV are also not included in the SSDI map. Especially the area south of the border shown on the SSDI map, up to a certain waterfall (they could not mention the name of the waterfall) up to *Moismoisi kiiki* is used by the communities.
- At the *Maurici* Creek/Upper Commewijne they have traditional livelihood activities and HKV. Traditionally the area is used for logging for which they are using machines nowadays. The elderly used to work there, but they did not live there. However, the whole family would accompany the father when he went to work in the area. They also have graveyards in the area.
- In between Little Commewijne and *Mapane* community members have logging concessions. The participants claim that because of the Forest Management Act (*Wet Bosbeheer S.B. 1992 No. 80*) a concession is part of the territory of the villages. The left bank of the Commewijne River is used by the elderly of the community.
- In the *Moismoisi kondre* area the communities have graveyards, and people from Tapanahony also work there. According to the 1833 Treaty (*Tractate or treaty* of 1833) the area still belongs to them, because the constitution did not bring an end to the validity of the Treaty. *Bigisma fu unu e du den sani drape* (The elderly/wise community members do their "thing" - i.e. cultural ceremonies - there). When they travel the Little Commewijne by boat they go all the way to Baling and Afobaka.
- At Tempatie Creek the community goes hunting, and at the *Bigi Sula* they search for gold. Tempatie Creek passes the *Maurici* kiiki and the Bigi Sula, up to *Nason Hills*. Traditional livelihood activities take place in this area as well as logging and searching for gold.
- Concessions are within as well as outside the demarcated area (SSDI map). The whole area surrounding the demarcated area is being used. During the interior war communities were forced to move away from these areas, but their parents, the elderly, continued to bring the younger generations to these areas after the war, so they still have activities there. The name of the village that was flooded because of the construction of the Afobaka Lake was *Nengre kondre* and the name of the creek was *Peninika*.
- At Sabajo Hill members of the communities are searching for gold. *Cordon path* is the northern border of their traditional territory.

## Annex 10 - Report of the discussion with the Karin'a and Lokono representatives of Eastern Para

- Representatives agree that the presented map indeed shows their traditional territory. The villagers do not make use of land near the project area. Sabajo Hills does not overlap with the Karin'a and Lokono territory, however the communities travel across the borders of the map for traditional livelihood activities, especially in the east, e.g. at Mapane Creek and in the *Copie* area and also at the Commewijne River up to the Little Commewijne towards the Sabajo Hills and *Akente Sula*.
- Land in the south, along the road (*American passie*) and creeks is used for hunting and fishing and wood cutting. Even though the project area seems to be quite a distance away from their territory, some of the representatives wanted more information to make sure that the land they use across the borders of the demarcated territory does not overlap with, or will not be affected by the Sabajo project.
- Near Cordon path, along the Commewijne River and in the Mapane region at least three indigenous communities were situated. Like the communities in the Kawina territory these villages were abandoned during the interior war. The land does not belong to the 5 villages involved but to other villages. Some of the elderly and descendants from these former villages now live in Karin'a and Lokono Eastern Para villages, and they still consider the abandoned villages to be Indigenous territory.
- The communities also have Community Forest outside the demarcated area. Nowadays they can go hunting and fishing with motorboats so they can travel longer distances.
- The communities have concerns about environmental effects such as contamination of rivers and creeks and forest degradation. They expressed the need for more detailed information from Newmont, such as: information about the total area of the Newmont concession; the geographical distance between the Newmont concession and/or project area and their traditional territory; a map which also displays creeks and the location of their HKV and Community Forest.
- Furthermore they also requested a copy of the map (presented at the meeting) to discuss it with the community members.
- Representatives finally expressed their appreciation for sessions like this one, because the information flow within the villages isn't always optimal.

## Annex 11 - UN Declaration on the Rights of Indigenous Peoples Article 25 - 28

### Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

### Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

### Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

### Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

**Annex 12 - Number of interviews by category stakeholder**

Category stakeholder	KAWINA	SAAMAKA	PAAMAKA	OTHER	TOTAL
Young people	5	3			8
Women	3	3	3		9
Men	10	3	2		15
Older men and women	9	3			12
Traditional authority	7	3	2		12
Focus groups	4		1		5
Granman & (head-) aptains & Basya Ndyuka				2	2
Experts				2	2
<b>Total</b>	<b>38</b>	<b>15</b>	<b>7</b>	<b>4</b>	<b>64</b>

**Annex 13 - Names of places or landmarks along the Little Commewijne Creek as identified by the expedition guide**

Villages (including deserted villages)	Historical places/Kunu's/Spiritual places/Landmarks	Locations used for livelihood/economic activities
Aduudi kondee	Alawado	Afegiti Ganda
Awaa	Baaka besi	Alanja-ondoo
Java (Jaffang)	Bitu Maipa	Ba Mama kampu
Moismoisi kondee	Bojo	Baaka besi kiiki
Mungotapu	Booki	Balong Tabiki
Peninika	Da Boni kiiki	Benga kampu
Gododrai	Dabana Osoe kiiki	Da-Amoko kondee/Amoko Kampoe
	Dunguu Kambaa	Da-Apina kiiki
	Fosi mongo	Da-Busu kiiki
	Fosi tutu (first bamboo plant)	Da-Kompi Kampu
	Gado lai busi (camp during war)	Doorsnee
	Gopia Ondoo	Gaang Dai
	Jozef kiiki	Gaang lontoe
	Keeminti (cemetery)	Jeny kiiki
	Kiing Mongo	Kopi-Ondoo
	Petem doo	Kwatta kampu
	Second Tutu/Tutu kiiki	Majana gong
	Third Tutu	Maka-Tabiki
	Tja tja wataa	Nengee kiiki
		Pajamang kampu
		Poe kiiki
		Second Tutu kiiki
		Sikin Osu Kiiki

Annex 14 - Map of the expedition on the Little Commewijne Creek



## Annex 15 - Report of the expedition on the Little Commewijne Creek

### Day 1 – August 25, 2017

#### Take off

According to tradition, at the beginning of the expedition the Kawina spirits were asked to lead our expedition so it would be steady and trouble-free. *Switsopi* (sweet alcohol) and beer were offered to keep the spirits happy and to ask them to be favorable to us. At the first camp we set up to spent the night we prayed again and offered switsopi to the *gronmama* (mother earth) and beer to the ancestors.



*Peninika Lampesi (Departure at Pennnica village)*

*Departing from the Peninika dock*



### Places of importance along the Pikin Kawina (Little Commewijne)

As the expedition moved forward the guide pointed out the approximate locations of villages and other places of importance to the Kawina people and shared information about the locations. Most of the villages are not visible anymore at the side of the river. The photos of forest are meant to give an idea of the approximate location of villages, but they do not pretend to be the exact locations. The guide shared information about the several villages which is already in the report, so this is not repeated here.

#### Java( Jaffang)

Java was cleaned up but they have not been able to maintain it so the forest took over again.

#### Awaa

This village never really had a captain. People from here and there, who did not fit into the Maroon structures and rules of villages, settled here.

#### Mungotapu

The first captain was Da Bapi. The mothers of Mungotapu came from the city and from the Ajo plantation. According to stories this village was established after slavery.

Most of the young ones are happy with the candidate captain Glenn Nijda, because he himself is a young person. Most inhabitants of Mungotapu carry the name Nijda/ Neida / Needa/ Neda or other variants of the name.

Peninika (Piniika) First captain was Da-Ting Ting. Frans Nijda is the present captain.



Doorsnee (means “cut through”) The water itself has “cut the river” at certain places in the river. A man named Loetie used to cut wood here.

Gododrai Gododrai was moved from the Tempatie Creek closer to the road.

### Gado lai busi

While fleeing for the interior war the villagers made a large camp along the river to hide from the fighting troops. They stored all their goods there, hoping that on their return they could use them again. But the war did not end as soon as they hoped and they lost all these goods. Now they are making jokes saying that the goods have been offered to the Gods, just like the goods of the so called wisiman (voodoo man) were taken by the Gadu (God) from Tabiki at the Tapanahony River.



### Dunguu kambaa (Dark room)

One of the great uncles of the Kawina withdrew himself in a camp which was hidden because he did not completely cut the forest on the river side. So the communities said his camp was like a dark room.

### Sikin Osu Kiiki

A creek not far from home that was rich in fish and where they used to grow crops and cut wood.

### Moismoisi kondee

This village never had a sworn in captain.  
Cutting wood was the main activity.



### Aduudi kondee

One of the older villages that has been abandoned.

### Jeny kiiki

This creek is rich in fish and many people grew crops here. Cutting wood was also an economic activity.

### Bitu Maipa (Bitter Maripa – Maripa is a fruit)

The auspicious thing about this place is that all the Maripa trees in this area bear only bitter fruit.

**Day 2 - 26 augustus 2017**

Keeminti

A cemetery. One is only allowed to speak out the name of a cemetery when it is not in one's sight anymore.

Da-Apina kiiki

There was a camp here and it used to be a place where they cut wood.

Kopi-Ondoo

A large camp used to be here and the place was used for cutting wood and agriculture



Gaanlontu

Used to be a place for agriculture because the land was very suitable for growing crops.

Majana goong

Place mostly used for agriculture.

Maka-Tabiki

Used for cutting wood. This tabiki also has a "Doorsnee".

Alanja-ondoo

A Chinese man named Soy used to have a wood concession here. People from the communities used to work for him and they also grew crops here.

Booki (Bridge)

A very badly constructed "bridge" made by Chinese woodtraders.



Da-Amoko kondee

Place used for cutting wood.

Doorsnee

Rich in several wood types.

Da-Kompi Kampu

Used for cutting wood and agriculture.

Afeegete Ganda

This used to be a very large camp. The people who lived in this camp did not feel the need to go back to their village. There were many activities going on, sometimes even more than in the villages. So, the people in the villages were complaining that the people in the camp forgot their village (Afeegeti means: he/she forgot).

Benga kampu

Used for cutting wood mostly.

Balong Tabiki

Used for cutting wood mostly.

Fosi mongo

The first hill. Used as a landmark.

Tja tja wataa

At this place there is Tjatja (gravel) on the bottom of the river. When the water level is low a small rapid appears.

Baakabesi (Black berry)

Known for its baakabesi (black berry) very much appreciated and consumed by the communities at the time. This also serves as a landmark for travelers on the river.

Baakabesi kiiki

Rich in wood and wild life.

Payaman kampu

Paya is letter wood. They used to cut letter wood here. For some reason the people left a large batch of wood behind, which is still there.

Kiing mongo (Clean/beautiful hill)

Beautiful spot along the river.

Poe kiiki

A group of short creeks ending up in a swamp rich in fish.

Nengee kiiki

A creek rich in Anjoemara fish.



### **Day 3 – August 27, 2017**

#### Kwata kampu

Known for it's Kwatta monkeys.  
They also used to cut wood here.

#### Ba Mama kampu

Zij zaagden materialen met kettingzagen voor de verkoop.

#### Fosi tutu

Tutu is bambu. First group of bamboo travelers come across, serving as landmark.

#### Da-Busu kiiki

Rich is fish and wood.

#### Second Tutu

Second group of bamboo,  
also serving as a landmark  
for travelers.

#### Second Tutu kiiki

Rich in wildlife, fish and  
wood.

#### Third Tutu

Third group of bamboo, also  
serving as a landmark for  
travelers.



#### Gaan daai

Rich in several wood types, fish and wildlife

#### Creek without a name/Bojo

The name of this creek is unknown. At this point it was clear that the people did not go further very often. At the division between the river and the creek there is a sacred place called Bojo. Bojo has a trefu which says that not one drop of neku is allowed to fall into the water. The closer the expedition came to Bojo, the more precautious we had to be, and a hefty discussion evolved about continuation of the expedition because the place was full of fallen neku lianas. The leader of the expedition had to use wisdom to convince the guide that they would be very cautious to make sure no drop of neku would fall into the water.

Notes from the expedition leader:

- Most probably Bojo is located within the Santa Barbara area in the direction of Sabajo hills. According to the communities Bojo is a place with a large stone plateau that looks like it was

made of concrete by human. It is said that the Gods are resting on this stone plateau. There one can ask the Gods for a child and your wife will get pregnant for sure. Only the hunters went as far as Bojo.

- This area is like a breeding ground of many types of fish. People were careless and went to fish in this breeding ground with neku. As a result the small fish also died. In order to protect the fish stock the wiser people of the communities made the Gods talk. The people started to become frightened for the statements of the Gods and stopped fishing there. The story goes that only the leaders could get approval from the Gods, but only if it was in the interest of the whole community and if all villages would work together. After that the trefu becomes effective again. This is a good example of protection of biodiversity and environment.

#### **Day 4 – Augustus 28, 2017**

##### Petem' doo

Petem' doo is as far as the expedition went. The name was created on the spot by the Kawina expedition members. Petem' doo means, "as far as I have arrived". This was about 5 kilometers from Santa Barbara. Because of fallen trees it became very difficult to continue, so it was decided to end the expedition there.



## Annex 16 - Report of the visit to the Granman of the Ndyuka

The visit to Granman Velantie took place on September 7, 2017. The focus points of the meeting were (i) borders, (ii) settlements and lo, (iii) development and (iv) structures for the decision-making process with the company.

### (i) Borders

The Granman confirmed that the hills to the east of the Commewijne River are the border between the Kawina people and the Paamaka people's living space. The area where the water flows to the living space of the Kawina people belongs to them. The same goes for the Tempatie Creek. According to the Granman the Cordon pad is used as the division (borderline). Little Commewijne Creek is also traditionally used by the Kawina people; there are burial places, they know the hunting areas, have their own names for creeks and since 1920 they have "searched" for gold at the foot of the hills.

#### **Granman Velanti**

We live in the areas where we settled after we escaped from the plantations. Through Kawina River we went to Djuka krika and later we settled at our present location. In 1760 we defined our area in the peace treaties with the Colonial States. Location holders (posthouders) were appointed and for the Aukanisi 3 were appointed.

I have a map which shows the watershed. This map was designed late in the 17th century or early in the 18th century, and reproduced by Dahlberg in 1962. The map clearly displays a line representing the watershed that divides the two areas. This map was used to define the borders.

We still find tracks of indigenous people who once lived here. They have lived and used land in the whole country. On a rock, just right here in front of my residence there still are imprints that show where they sharpened their arrows. We respect that; they were here before us but they gave us room to live here. They also showed us the way to travel to Paramaribo. Previously we used to travel by boat, sailboats. They showed us the creek that leads to Coermotibo which brings us to the river that brings us to Paramaribo.

### (ii) Settlements and lo

Nowadays the Ndyuka are one of the largest tribes consisting of 14 lo. The Kawina are people from the Misidjan-lo who went back to the Commewijne area and settled there permanently. There are 7 Misidjan villages which are large in numbers and they live along the Tapanahony River, the Commewijne River and at Sara Creek. The Granman confirmed the system of succession of Granmans along the matrilineal line. The next Granman will be a son of the Granman's sister.

### (iii) Development

In the past the area was known as a wood-rich area. Balata bleeding was a main economic activity and the Granman also involved in balata bleeding. The Ndyuka (including the Kawina people) have been involved in searching for gold for a long time. First they were especially involved (by others) in

wood transport by boat and searching for gold in the areas of which they had a good knowledge. Since 1920 they search for gold by themselves, which nowadays happens on larger scale with the use of machines.

The Granman states that he is not against development (while referring to the gold mining activities) and he has also communicated this to Newmont.

**Granman Velanti**

While hunting and fishing we encountered locations where we found gold. We brought people from the Caribbean and Dutch people to these locations and we worked for them. After the foreigners left we started searching for gold by ourselves, with our hands”.

(iv) Structure for negotiating with Newmont

The Granman is of the opinion that the Kawina have to get organized to communicate with Newmont. He proposes the establishment of a commission by the captains, consisting of the captains and other (well educated) community members. The commission should meet and talk about their development and decide what they want before communicating with Newmont. The head captain (also present during the interview of the Granman) expressed the expectation that this will also be beneficial for the Granman.

## Annex 17 - Final validation Meeting with the Kawina Communities

**Date: February 11, 2018**

**Location: Lalarookh building, Paramaribo**

### Results of validation

1. Participants agree with the findings/conclusions in the report on traditional land use area.
2. Participants confirm that the map presented to them is correct (the map which shows the results of the expedition on the Little Commewijne).
3. Participants agree that they have the capability to negotiate, but they do need strengthening of capacity and support from experts.
4. Participants agree with the proposed strategy to engage communities.
5. Regarding the advice of the Granman to establish a committee:
  - Captain Noordzee informs the consultant that there is a structure in place to communicate with Newmont, consisting of a group of captains and basyas. The group informs the communities. The villages have accepted the existing structure.
  - They are willing to engage existing womens' organisations such as Uma Hori Tanga, however the captains and basyas have the decisive power.

### Other remarks/additions/corrections

1. Information is still shared by the Basja ("Basja e bari"), but nowadays this mainly happens through radio announcements.
2. Jozef Nijda is not the formal captain of Awaa, but he is "granman fu kondre". Beloni is also granman fu kondre. The people of Awaa and Gododrai are family and the Dju-lo also lives in Gododrai.
3. Mungotapu has the Nijda Bere. The Asaiti-lo lives there and not the Misidjan-lo.
4. Da Moiman kondre and Maipa kondre are not the previous names of Penninika
5. The creeks are overgrown because roads are increasingly replacing water as a mode of transportation.
6. Maurici Creek is an important branch of Tempatie Creek

## **Annex 18 - Final validation Meeting with the Saamaka/Saakiiki Communities**

**Date: March 10, 2018**

**Location: Multifunctional centre, Brokopondo Centre**

### **Results of validation**

1. Participants confirmed that they traditionally inhabit- and make collective use of the watershed area of the Suriname River.
2. They also confirmed that they have a pattern of historical land use of Commewijne River and Tempatie Creek, but they do not longer make use of these areas.
3. Participants agree with the findings/conclusions in the report on traditional land use area and confirm that the Sabajo Hills area is not within their traditional land, and they have no traditional collective land use in this area.

Participants agree that the Saamaka/Saakiiki communities in the Brokopondo area have no land claim in the Sabajo Hills project area

### Annex 19 - Participants at the final validation meeting with the Kawina communities

Final Validation Historical Narrative Date: February 11, 2018 Location: Lala Rookh Building			
#	Name	Position	Contact
1	Peggy Panka		
2	Barbara Faurey		
3	Xadiera Aloekoe		8119314
4	Jeane Needa		8678238
5	Imelds Needa		8888130
6	Frans Noordzee		8916298
7	Antonius		8916298
8	Lesine	Kapitein	7048478
9	Djanie	Kapitein	7171730
10	Peet Noorzee	Basja	8823461
11	Jeanette Nijda		8689172
12	Melinda Landveld		8687070
13	Frans Matotoe		8929057
14	Eva Misidjang		8806495
15	Joel Amania		8917276
16	Herman Nijda		8749694
17	Steven Nijda		8802260
18	Needa		8168320

**Annex 20 - Participants at the final validation meeting with the Saamaka/Saakiiki communities**

Final Validation Historical Narrative				
Dates: March 10, 2018				
Location: Multifunctional center Brokopondo centrum				
#	Name	Community	Position	Contact
1	George Maabo	Asigron		8651915
2	Moese Maabo	Asigron	Representative of the Basja	
3	Marcelino Flawtantie	Asigron		8146967
4	Olga Pansa	Asigron		
5	Omais Doebe	Boslanti		
6	Ramon Sandrina	Boslanti		8578403
7	Magda Doebe	Boslanti	Representative of the Basja	7497176

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<sup>i</sup> The Committee on the Elimination of Racial Discrimination (CERD) is part of the Office of the High Commission on Human Rights and is the body of independent experts that monitors implementation of the Convention on the Elimination of All Forms of Racial Discrimination by its State parties.