

# RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

**VIDS – *Vereniging van Inheemse Dorpshoofden in Suriname***  
(Association of Indigenous Village Leaders in Suriname)<sup>1</sup>

Case study for:  
RECOGNISING AND SUPPORTING  
TERRITORIES AND AREAS CONSERVED BY INDIGENOUS PEOPLES  
AND LOCAL COMMUNITIES  
Global Overview and National Case Studies

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<sup>1</sup> VIDS (*Vereniging van Inheemse Dorpshoofden in Suriname*; Association of Indigenous Village Leaders in Suriname) is the traditional authority structure of all indigenous peoples in Suriname. It has a technical and administrative office, Bureau VIDS, which functions as its day-to-day working arm. Staff members of Bureau VIDS, together with various authorities and members of the villages highlighted in this report, have worked as a team on this report, thus combining local, national and international expertise and experiences to present the situation of 'ICCAs' in Suriname. In its 20 years of existence, VIDS has built up substantial theoretical and practical expertise and experience in the fields of its core objectives, namely the legal recognition of indigenous peoples' rights, in particular land rights, and strengthening of our traditional authorities, both as crucial elements of exercising our self-determination. Contact: [infovids@vids.sr](mailto:infovids@vids.sr)

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

### Table of contents

List of acronyms.....	2
Acknowledgements.....	3
Summary.....	4
Introduction.....	5
1. Country description and context.....	5
1.1. Key features of Suriname.....	5
1.2. Brief history of conservation, state- and community-based.....	6
1.3. Some key players in nature conservation in Suriname.....	9
2. Features of ICCAs.....	10
2.1. The ICCA concept.....	10
2.2. Range, diversity and extent of ‘ICCAs’ in Suriname.....	11
2.3. Key ecological, cultural, socio-economic and political values of ICCAs.....	18
2.4. Main threats to ICCAs.....	19
3. Governance and management of ‘ICCAs’.....	21
3.1. How are ‘ICCAs’ governed and managed?.....	21
3.2. Key issues faced in governing and managing ICCAs.....	24
4. Recognition and Support to ICCAs.....	25
4.1. Government recognition and support to ICCAs.....	25
4.2. Civil Society recognition and support to ICCAs.....	26
4.3. Key issues for the recognition and support to ICCAs.....	27
5. The future.....	28
5.1. Future activities planned by the communities, the government, and the civil society ; especially in relation to issues of recognition and support.....	28
5.2. Recommendations.....	29
References.....	31
Annex 1: List of interviewees.....	33

### Boxes

Box 1: <i>Arawone</i> Nature Trail.....	13
Box 2: <i>Kumakande</i> .....	14
Box 3: The story of the dolphin and the manatee.....	14
Box 4: <i>Akijo Ituru</i> .....	15
Box 5: <i>Werehpai</i> .....	16
Box 6: <i>Mamija</i> .....	17
Box 7: Kaboeri Creek area.....	23

### List of acronyms

ACT	Amazon Conservation Team
AIDS	Acquired Immuno Deficiency Syndrome
ATM	Ministry of Labor, Technological Development and Environment ( <i>Arbeid, Technologische Ontwikkeling en Milieu</i> )
CBD	Convention on Biological Diversity
CI	Conservation International (CI-S = CI Suriname)
CLIM	Lower Marowijne Land Rights Commission ( <i>Commissie Landrechten Inheemsen Beneden Marowijne</i> ). Since 2010: KLIM.
COP	Conference of Parties
FPIC	Free, Prior and Informed Consent
FPP	Forest Peoples Programme

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

GEF	Global Environment Facility
HIV	Human Immunodeficiency Virus
ICCA	Indigenous Peoples' and Local Communities' Conserved Territories and Areas
IUCN	International Union for Conservation of Nature
IWGIA	International Working Group on Indigenous Affairs
KLIM	Organization of Kali'na and Lokono in Lower Marowijne ( <i>Kali'na and Lokono Inheemsen Beneden Marowijne</i> )
LBB	Forest Service ( <i>'s Lands Bosbeheer</i> ) (Ministry of RGB)
MUMA	Multiple Use Management Area ( <i>Bijzondere Beheersgebieden</i> )
NB	Nature Conservation Division ( <i>Afdeling Natuur Beheer</i> )
NBC	Nature Conservation Commission ( <i>Natuur Beschermingscommissie</i> )
NBS	National Biodiversity Strategy
NBSAP	National Biodiversity Strategy and Action Plan
NGO	Non-governmental organization
NIMOS	National Institute for Environment and Development in Suriname ( <i>Nationaal Instituut voor Milieu en Ontwikkeling in Suriname</i> )
NMR	National Council for the Environment ( <i>Nationale Milieu Raad</i> )
NR	Nature Reserve ( <i>Natuur Reservaat</i> )
OSIP	Organization of Collaborating Indigenous Villages in Para ( <i>Organisatie van Samenwerkende Inheemse Dorpen in Para</i> )
RGB	Ministry of Physical Planning, Land and Forest Management ( <i>Ruimtelijke Ordening, Grond- en Bosbeheer</i> )
RO	Ministry of Regional Development ( <i>Regionale Ontwikkeling</i> )
SCF	Suriname Conservation Foundation
SSM	Suriname Museum Foundation ( <i>Stichting Surinaams Museum</i> )
STDs	Sexually Transmitted Diseases
STIDUNAL	Foundation Sustainable Nature Management Alusiaka ( <i>Stichting Duurzaam Natuurbeheer Alusiaka</i> )
STINASU	Foundation for Nature Conservation in Suriname ( <i>Stichting Natuurbehoud Suriname</i> )
TBI	Tropenbos International
VIDS	Association of Indigenous Village Leaders in Suriname ( <i>Vereniging van Inheemse Dorpshoofden in Suriname</i> )
WWF	World Wide Fund for Nature

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## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

### Summary

The goal of this review is to explore the forms of recognition and support for ‘Indigenous Peoples and Local Communities Conserved Territories and Areas’ (ICCAs) in Suriname. Suriname has a relatively long history of protected areas. Most of those are within the traditional (but not legally recognized) territories of Indigenous peoples. Our research has shown that the concept of ICCAs is not (yet) well known in Suriname, and ICCAs are not included in protected areas categories. However, there are many examples of cases/situations throughout the whole country that in practice match the criteria of an ICCA. These examples range from management of entire traditional indigenous territories to specific specie or area protection, always as a result of the traditional concepts of territorial management, and using customary (including cultural and spiritual) rules of the involved Indigenous communities. Likewise, the governance of ICCAs currently forms part of traditional governance systems and bodies over the Indigenous territories and villages. Within the collaboration between Indigenous communities and (international) conservation organizations on protected area management, there may be additional management structures, which would still abide by the community governance system.

Involved communities have highlighted various values of community conserved areas, which are inextricably linked to their rights as Indigenous peoples, among others self-determination over their territories and resources, the importance to their livelihoods, and preservation and transmission of culture, stories, traditions, practices and traditional knowledge. Also the conservation and economic values of such areas within Indigenous territories were highlighted.

Main threats were identified to be the non-recognition of Indigenous peoples’ rights, particularly land rights, and of traditional Indigenous authorities, which results in, among others, unilateral governmental establishment and decision-taking over protected areas even though in practice it are the Indigenous communities who manage those areas in Suriname. Economic pressures are another threat, forcing villagers to make unsustainable, narrower and shorter-term decisions over their natural resources. Intrusion of extractive industries is another major threat.

Recognition and support for ICCA initiatives are not very outspoken. At government-level there is no legal recognition of the rights of Indigenous peoples nor legal recognition of the ICCA concept, although government respondents have expressed interest in discussing the concept further. There is a growing support from environment NGOs for conservation-related capacity building.

An informed discussion on whether or not ICCAs should be included in the protected area system of Suriname has not taken place yet and we recommend it should be held. However, some critical remarks were made that the categorizing of (part of) Indigenous territories as ‘ICCA’ should not ‘dilute’ the overarching issue of full legal recognition of Indigenous peoples’ land and resource rights. The major recommendation related to the recognition and support of ICCAs in Suriname is therefore the legal recognition of the rights of Indigenous peoples, as the overarching framework in which ICCAs could be considered. Capacity strengthening and more awareness on Indigenous peoples’ concepts and practices of territorial and environmental management, are other main recommendations.

## Introduction

This paper is part of the review that the ICCA Consortium, Kalpavriksh and Natural Justice are currently undertaking on the forms of recognition and support for Indigenous peoples' and local community conserved territories and areas (ICCAs), both legal/policy and non-legal/policy. Suriname has been identified as one of the countries in the broad range of different situations in this regard, and the review for Suriname was undertaken by VIDS. VIDS (*Vereniging van Inheemse Dorpshoofden in Suriname*; Association of Indigenous Village Leaders in Suriname) is the traditional authority structure of the Indigenous peoples in Suriname, composed of the leadership of all Indigenous villages in the country.

In addition to a desk review of relevant legal and policy documents and reports, particularly on protected areas in Suriname (including earlier publications of VIDS), we conducted interviews with key players in the Surinamese environmental conservation field: members of Indigenous communities and community-based organizations, government bodies and environment NGOs. Most interviews were done verbally, undertaken based on a questionnaire and background information note sent to the respondents prior to the interview (a list of interviewees is appended to this report).

As a general remark it may be noted that we will use the term 'community' and 'village' interchangeably, referring to the individual villages of indigenous peoples that are spread throughout the country. With indigenous 'peoples' we refer to the peoples as a whole, for example the Kali'na, Lokono, Trio or Wayana peoples who all have their respective, various villages.

## 1. Country description and context

### 1.1. Key features of Suriname

The Republic of Suriname is situated on the north coast of South America and is bordered by French Guyana, Guyana and Brazil. Its total area is approximately 164,000 km<sup>2</sup>. The capital city is Paramaribo. The climate is typical of tropical rainforest, with two rainy seasons and two dry seasons, although seasons have become less predictable.

Suriname became independent from the Netherlands in November 1975. Politically, Suriname has a semi-presidential system with an executive president who is not elected directly but by the democratically elected National Assembly (parliament). Its main economic sectors are mining (gold, bauxite, oil), trade, agriculture and increasingly tourism.

The ecological and forest diversity in Suriname can be categorized in five ecological zones:

- Marine zone;
- Young coastal plain;
- Old coastal plain;
- Savannah belt;
- Interior.

The interior covers approximately 80% of the land surface, and is predominantly tropical rainforest. It is part of the Precambrian Guiana Shield, a geological formation that includes Guyana, Suriname, French Guiana, and adjacent parts of Venezuela and Brazil (VIDS 2009). 'Interior' is also used as a geopolitical term to characterize the traditional areas of Indigenous

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

peoples and Maroons; often remote and difficultly accessible regions with substandard public services.

The total population of Suriname is approximately 492,000 (census 2004/2007). The population is ethnically and religiously very diverse, consisting of Hindustani (27.4%), Creoles (17.7%), Maroons (*Bushnegroes*, 14.7%), Javanese (14.6%), mixed (12.5%), Indigenous peoples ('Amerindians', 3.7%) and Chinese (1.8%). At least 15 different languages are spoken on a daily basis in Suriname but the official language is Dutch, while the *lingua franca* used in informal conversations is *Sranan Tongo* (Surinamese) (Ooft 2011).

The four most numerous Indigenous peoples are the Kali'na (Caribs), Lokono (Arawak), Trio (Tirio, Tareno) and Wayana. In addition, there are small settlements of other Amazonian Indigenous peoples in the south-west and south of Suriname, including the Akurio, Wai Wai, Katuena/Tunayana, Mawayana, Pireuyana, Sikiiyana, Okomoyana, Alamayana, Maraso, Sirewu and Sakëta. The Kaliña and Lokono live mainly in the northern part of the country and are sometimes referred to as 'lowland' Indigenous peoples, whereas the Trio, Wayana and other Amazonian peoples live in the South and are referred to as 'highland' Indigenous peoples (Ooft 2011).

The Maroons or *Bushnegroes* are descendants of African slaves who fought themselves free in colonial times and were able to establish communities in the Interior. They live tribally, according to ancestral cultures and traditions, under comparable circumstances as the Indigenous peoples. There are six Maroon tribal peoples in Suriname: the Saamaka, Aukanisi, Paamaka, Matawai, Kwinti and Aluku.

The rights of Indigenous and Maroon tribal peoples in Suriname are not recognized other than some 'exclusion clauses' in land and natural resource legislation requiring land title and concession holders to "*respect the rights of Amerindians and Bushnegroes [...] as far as possible [...] subject to general interest*", and without specifying which exactly these rights are and how they can be enforced (Kanhai and Nelson 1993; Kambel and Mackay 2003).

### 1.2. Brief history of conservation, state- and community-based

Bearing in mind that the *de facto* conservation and nature management have always been done by Indigenous communities that have very effectively conserved nature, biodiversity and other natural resources, there is also a formal and legal framework for nature conservation in Suriname. According to the Constitution of Suriname (1987, revised 1992), all natural resources are property of the nation. The responsibility for environmental policies, including biodiversity, is entrusted to the Ministry of Labor, Technology Development and Environment (ATM, by its abbreviation in Dutch). The Ministry of Physical Planning, Land and Forestry Management (RGB) is responsible for the management of all forested areas and has the authority to classify forests for different purposes as part of the physical planning of the country. The main legal instruments related to nature conservation are: the Agrarian Law (1937), Nature Preservation Law (1954), Game Resolution (1954), Law on Sea Fisheries (1980), Law on Allocation of State-Owned Land (1982) and the Forest Law (1992) (Malone 2007).

Compared to other countries in the region, Suriname has a long history of formal and legal nature conservation. In the early 1900s hunting and fishing could already be restricted in certain areas, based on the Police Criminal Law of 1915. After the Second World War, large-

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

scale slaughter of the scarlet ibis (*Eudocimus ruber*) along the coast led to the establishment in 1948 of a Nature Conservation Commission (*Natuur Beschermingscommissie – NBC*), to advise the government regarding nature conservation. A first ‘sanctuary’ for the breeding locations of water birds, particularly the heron (*Ardeidae*), scarlet ibis and roseate spoonbill (*Platalea ajaja*), was established in 1953 by governmental resolution. In 1954 the Nature Preservation Law was enacted to regulate the establishment of Nature Reserves (NR), as protected areas in Suriname are generally called. These could from that time be established by ‘Government Resolution’ (*Staatsbesluit*) if they met certain criteria, in particular the occurrence of unique flora, fauna, cultural and geological objects or because of their typical nature and landscapes. Some protected areas that were established on the basis of these criteria are the Coppename NR, the Wia-Wia NR, and the Galibi NR. Indigenous peoples and local communities were not considered in the establishment of these reserves; it was not until 1986 that the explanatory note accompanying the Government Resolution of 1986 that established 4 new reserves (not the resolution itself) made some reference to the traditional rights and interests of local communities (Baal and Krishnepersad 2003).

In the 1970s the government decided to undertake more research on ecosystems in Suriname. This was done through an inventory and mapping of all ecosystems in the young and old coastal plains and savannah belt, over a period of 3 years (1974–1977). Based on the results of this undertaking, 10 lowland areas in northern Suriname were recommended to become protected areas: 6 Nature Reserves – Wane Kreek, Copi, Boven-Coesewijne, Peruvia, Kaboeri, Nanni – and 4 ‘Multiple Use Management Areas’ (MUMAs, *bijzondere beheersgebieden*) – Bigi-Pan, Noord Coronie, Noord Saramacca and Noord Commewijne-Marowijne. These were selected from a total of 67 mapped ecosystems to represent each Surinamese ecosystem in the national protected areas system. In 1986, 4 out of the 6 proposed NRs were established by the government resolution mentioned above (Kaboeri and Nanni NRs were postponed).<sup>2</sup>

There are currently three types of protected areas in Suriname: Nature Reserves (NR), Nature Parks (NP) and Multiple Use Management Areas (MUMA). Nature Reserves are the strictest in terms of conservation and limitations of human activities, whereas in MUMAs some livelihood and/or economic activities may be allowed. Brownsberg is currently the only Nature Park and is situated on long-term lease land (*erfpachtterrein*), a land title that has been given to the quasi-NGO (semi-governmental) Foundation for Nature Conservation in Suriname (STINASU) (VIDS/FPP 2009)<sup>3</sup>.

At present there are 11 Nature Reserves, 1 Nature Park and 4 MUMAs in Suriname, which cover approximately 13% of the total land area. 2 new Nature Reserves are proposed (Kaboeri and Nanni), which are pending since the inventory of the 1970s) as well as 2 ‘forest reserves’ (Mac Clemen and Snake Creek), which were also identified as such in the aforementioned inventory (VIDS/FPP Report, 2009). The latter, forest reserves, are not protected areas as such but in practice no extractive concessions are given in these areas. It is possible to convert the status of a forest reserve or part thereof into a PA, for example for educational, research purposes. There are no protected areas categories (yet) in Suriname that are based on (co-)management with/by Indigenous or local communities (see section 2).

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<sup>2</sup> See also [http://www.stinasu.com/protected\\_areas.html](http://www.stinasu.com/protected_areas.html)

<sup>3</sup> Report of a meeting between the LBB, the NCC, and the village councils of Apoera, Section and Washabo (2004).

# RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

**Map and table 1: Protected areas in Suriname**



(Source: www.stinasu.com)

<i>Nature Reserves</i>	<i>Established</i>	<i>Area (ha)</i>	<i>District</i>
1 Galibi	1969	4,000	Marowijne
2 Wia-Wia	1966	36,000	Marowijne
3 Coppenamemonding	1966	12,000	Saramacca
4 Hertenrits	1972	100	Nickerie
5 Peruvia	1986	31,000	Coronie
6 Wane Kreek	1986	45,000	Marowijne
7 Copi	1986	28,000	Para
8 Boven Coesewijne	1986	27,000	Saramacca, Para
9 Brinckheuvel	1966	6,000	Brokopondo
10 Centraal Suriname	1998	1,600.000	Sipaliwini
11 Sipaliwini	1972	100,000	Sipaliwini
<b><i>Nature Park</i></b>			
12 Brownsberg	1970	12,200	Brokopondo
<b><i>Proposed Nature Reserves</i></b>			
13 Nanni			
14 Kaboeri			
<b><i>Proposed Forest Reserves</i></b>			
15 Mac Clemen			
16 Snake Creek			
<b><i>Multiple Use Management Area</i></b>			
17 Bigi Pan	1987	67,900	Nickerie, Coronie
18 Noord Coronie	2001	27,200	Coronie
19 Noord Saramacca	2001	88,400	Saramacca
20 Noord Commewijne/ Marowijne	2002	61,500	Commewijne, Marowijne



### 1.3. Some key players in nature conservation in Suriname

Indigenous peoples' communities have played the first and foremost role in environmental management and nature conservation over many centuries. As elsewhere in the world, the areas identified as most rich in biodiversity and containing unique ecosystems in Suriname, are almost always located within the traditional territories of Indigenous peoples. Through traditional land management practices that are holistic and very much aligned with the environment, Indigenous peoples have conserved and further enriched ecosystems, biodiversity and other natural resources in their ancestral territories (VIDS Report 2006). This crucial role of Indigenous peoples, however, has not been legally nor practically recognized in the nature conservation regulatory framework.

Below are the governmental structures responsible for nature conservation in Suriname:

- *The Ministry of Physical Planning, Land and Forest Management (RGB)* is responsible for the management of all forested areas in Suriname. Within this ministry, the Forest Service (LBB) is responsible for the establishment and general management of the national nature reserves, while daily management is entrusted to the Nature Conservation Division (NB). Technical advice is provided by a Nature Conservation Commission. Since 1969, STINASU has assisted the NB. This semi-governmental organization focuses on educational and tourism aspects of protected areas, and conducts research. Funding is drawn from eco-tourism and research activities in the nature reserves.
- *The Ministry of Labor, Technological Development and Environment (ATM)* is in charge of national policies related to environment including biodiversity. This ministry is Suriname's focal point for the Convention on Biological Diversity and the Framework Convention on Climate Change, among others, and coordinates activities related to the implementation of the Conventions.
- *The National Institute for Environment and Development in Suriname (NIMOS)* is the executive and research arm of the National Council for the Environment (NMR), which is in turn a policy and advisory body within the Office of the President of Suriname. Since 2000 NIMOS reports to the Minister of ATM. NIMOS's objectives are to advise the government of Suriname on the implementation of environmental policies, to implement national environmental legislation, to prepare and implement regulations regarding environmental protection, and to coordinate and monitor compliance with those rules and regulations.
- The '*Development of the Interior*' department of the Ministry of Regional Development (RO) is responsible for the development of the interior, which is the region where the majority of protected areas and Indigenous and tribal communities are situated.
- The *Suriname Conservation Foundation (SCF)* is a foundation tasked by the government with managing a national environmental fund, which was created in 2000 by the Surinamese government with multilateral funding from the Global Environment Facility (GEF) and private donations through Conservation International. It promotes the conservation of biodiversity in Suriname, with a special emphasis on national protected areas such as the Sipaliwini NR and the Central Suriname NR.

In addition to the governmental institutes, there are several international conservation organizations that have a local office or affiliation in Suriname, among others Conservation International (CI), the World Wide Fund for Nature (WWF), Tropenbos International and Amazon Conservation Team (ACT). They support policy development by the government of

Suriname and provide funding and technical assistance for nature conservation and environmental management initiatives (VIDS/FPP Report 2009).

### 2. Features of ICCAs

#### 2.1. The ICCA concept

While the designation ‘ICCA’ is not well known (even unknown) or applied by many people in Suriname, there are many examples of cases/situations throughout the whole country that in practice match the criteria (CEESP 2008) of an ICCA:

- A well-defined people or community possesses a close and profound relation with an equally well-defined site (such as territory, area, or habitat) and/or species. This relation is embedded in local culture, sense of identity, and/or dependence for livelihood and wellbeing.
- The people or community is the primary player in decision-making and implementation regarding the management of the site and/or species. Community-level institutions thus have the capacity to develop and enforce decisions, *de facto* and/or *de jure* (including according to both customary and state law). Other stakeholders may collaborate as partners, especially when the land is owned by the state, but decisions and management efforts are predominantly by the people or community.
- The people’s or community’s management decisions and efforts lead to the conservation of habitats, species, genetic diversity, ecological functions/benefits, and associated cultural values, whether or not the conscious objective of management is conservation *per se*. For example, primary objectives may be livelihoods, security, religious piety, safeguarding cultural and spiritual places, etc., with conservation being an additional outcome.

Our research<sup>4</sup> confirmed that Indigenous communities throughout Suriname first and foremost consider their entire traditional Indigenous territories as a ‘protected’ or ‘conservation’ area that is protected and conserved for future use and future generations, while respecting life and everything that has a spirit. The whole traditional territory is therefore managed by the communities in a holistic manner, and spirituality and sustainability considerations play major roles in management rules and traditions (interview respondents; VIDS 2006; VIDS 2009). Although, as the ICCA concept clearly points out as well, conservation is not always the conscious objective, the research confirmed that Indigenous territorial management does result in protection and conservation of ecosystems, habitats and species. As such, all traditional lands of the involved Indigenous peoples or communities could be considered ‘ICCAs’.

Critical question marks on the concept itself however, have also been put forward, namely whether the holistic use and management of Indigenous territories, which traditionally inherently have nature conservation and enrichment as a result, are now ‘pushed into’ contemporary conservation frameworks for the sake of species and ecosystem conservation and protection, or for the sake of conserving monetary and commercial values, or governmental and enterprise powers. The formal conservation frameworks are delinked from traditional Indigenous concepts of life, spirituality and sustainability, also delinked from the essential relation with having legal rights over these Indigenous lands and territories, and they

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<sup>4</sup> Given the time and resource limitations, our research only involved (some) Indigenous peoples’ communities and no Maroon tribal communities.

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

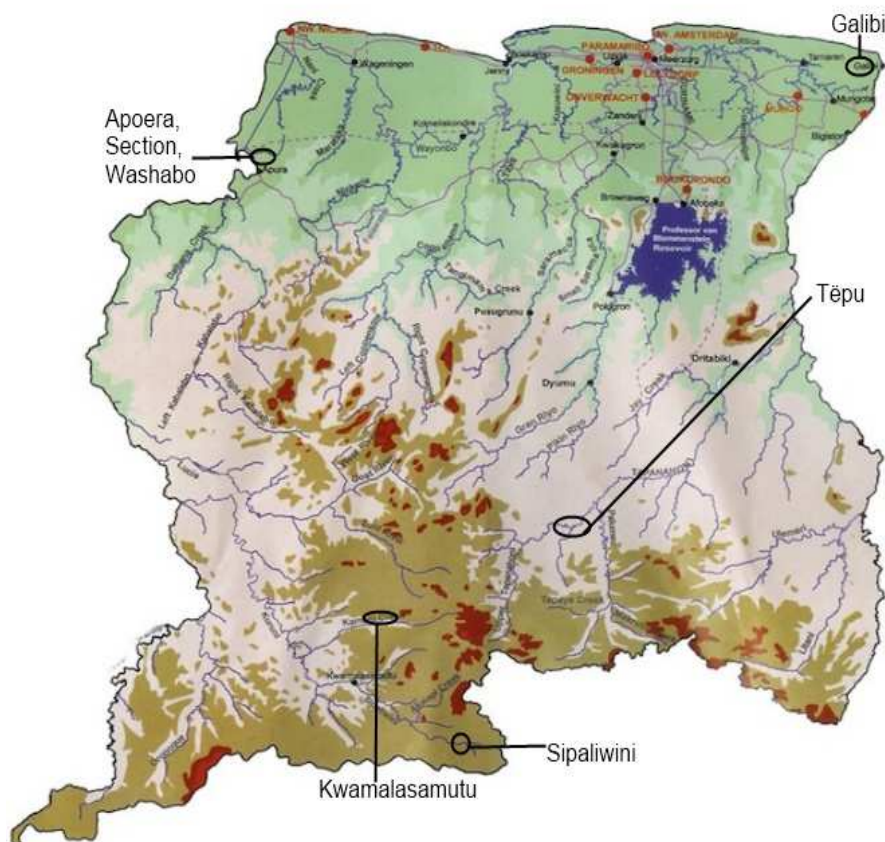
sometimes serve very different purposes than those of the traditional Indigenous concepts of territorial management. If it were the case that Indigenous territories or certain areas therein are given other designative names only to be able to fit them into these existing frameworks, this could then even be considered a risk to Indigenous peoples' rights, diluting the real issues and trying to take a too pragmatic approach to essential matters.

The research also exposed the unfamiliarity with the ICCA concept and the wish was clearly stated by all interviewees to know more about it, be better informed and have opportunities to further discuss its merits before endorsing or promoting the concept.

### 2.2. Range, diversity and extent of 'ICCAs' in Suriname

Keeping in mind that ICCAs are not called as such and certainly not (legally) recognized as such, we argued in section 2.1 that there are many *de facto* ICCAs in Suriname and that, in fact, complete regions inhabited and used by multiple Indigenous communities could be called 'ICCAs'. In addition, there are also more circumscribed and/or species-specific areas that could be considered 'ICCAs', bearing in mind the abovementioned critical remarks on the concept. The common characteristics of ICCAs apply to all of the following examples of 'ICCAs' in Suriname: a close and profound relation with the site and/or species; *de facto* decisions and management by the local Indigenous community; and conservation as a (side) effect of management decisions and efforts.

**Map 2: Location of the indigenous villages mentioned in section 2.2.**



(Source: VIDS)

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

(i) A first example is that of *a whole region with multiple Indigenous villages*, for example the traditional territory of the Kali'na and Lokono of the Lower Marowijne River area (northeast Suriname). This is an extensive area that has been collectively used and managed for many centuries by the Kali'na and Lokono Indigenous peoples that currently live in 8 villages, in accordance with their customary rules and traditions. In general, the communities view this region, which they have completely mapped and demarcated in detail, as their joint Indigenous territory, in addition to their individual village territories. This Indigenous territory is governed and managed with a view to conserve and protect it for future generations and the communities take the responsibility to maintain it and keep it in a good condition, through customary rules and traditions as described in the next section. Similar collective Indigenous areas, inhabited and managed by multiple Indigenous villages and sometimes multiple Indigenous peoples, exist in other regions of Suriname, such as West Suriname, South Suriname, Wayambo area and Para area.

In most of these regions there is a co-existence and overlap of formal nature reserves and traditionally conserved areas, with *de facto* management by the local communities in accordance with similar rules and traditions as described in this and in the next section. In the Lower Marowijne region for instance, 2 formal nature reserves were established in the 1960s and 1970s (the Galibi Nature Reserve and the Wanekreek Nature Reserve). These reserves were established without the consent of the local communities; in fact the communities were informed of this only after the establishment. In the case of the Galibi Nature Reserve, the community even involuntarily had to vacate from certain areas in use, without any form of compensation. The villagers are formally forbidden to hunt and fish in this nature reserve and have to obey the legally prescribed 'hunting seasons', while these measures do not match the conservation needs, zones and seasons that are identified by the Indigenous resource users based on their traditional knowledge and customary use of the areas. In practice, the government does not enforce the policy very strictly and there is virtually no government control in these areas, except at the sea shore site where four giant sea turtles species come to lay their eggs.

Apart from the 'macro-regional' example as mentioned above, the same type of 'ICCA' exists in virtually all individual Indigenous villages, namely management of the village territory in accordance with traditional customs and rules, thereby ensuring effective conservation.

(ii) More recently, some Indigenous communities have identified and designated *certain areas within their Indigenous territory as conservation areas*, given their importance for (eco) tourism, which is a major income-generating sector for various Indigenous communities in the remote Interior. In such areas the community undertakes extra efforts for nature or species protection, in addition to the customary rules and practices. The incentive for the community to do so is income-generation and employment opportunities from tourism. The area or site is managed by the community and the rules, agreed through community decision-making structures and mechanisms, are enforced by the responsible body from the community itself (see also box 1– *Arawone* Nature Trail in Galibi).

### Box 1: *Arawone* Nature Trail

Galibi, the collective name for the Kali'na communities Christiaankondre and Langamankondre in northeast Suriname, is nationally and internationally well-known as tourist destination, among others because of the presence of protected giant sea turtle species that seasonally come to lay their eggs on the sand beaches in the mouth of the Marowijne River. The communities established their own local environment organization in 1997, Stidunal (*Stichting Duurzaam Natuurbeheer Alusiaka* = Foundation Sustainable Nature Management Alusiaka), to contribute to sustainable development of the communities. Income generation from ecotourism is among the goals of Stidunal. It also presents weekly environment-related programs on the local community radio station.

Against this background Stidunal took up the idea of a villager to make a park in a biodiversity-rich region, and added to that a nature trail going through it. This area is used in a sustainable manner by the communities for non-commercial sustenance agriculture and hunting, and collecting non-timber forest materials such as *kokriki*, *anakogo*, *panarako* and *pararapu* seeds for traditional jewelry. The area is also rich in various bird, ape and tree species such as *Arawone* or greenheart (*Tabebuia serratifolia*), tonka (*Dipteryx odorata*), *ulemari* or *ingipipa* (*Bagassa guianensis*), *kubesjine* and *pakoeli* (*rheedia benthamiana*). In this area it is not allowed to cut down trees, as a measure of traditional protection and sustaining this ecosystem that has been recognized by the communities for its unique value.

By way of year-long tourist attraction (in addition to the seasonal sea turtle attraction) and also to educate tourists about the communities' nature conservation efforts, an existing footpath was cleaned and broadened, small bridges across difficultly accessible or swampy areas were made, and on a strategic location a little park was made to rest and get information about the surroundings. The trail goes in a U-shape from Christiaankondre to Langamankondre, through the *arawone* forest. The establishment of the trail and park was agreed upon through the regular decision-making structures of the communities, including by village meetings and by the traditional leadership, after assurance that it will be managed by the local organization. The WWF-Guiana office in Suriname provided financial support, and the trail was inaugurated in October 2011. Income will be used to cover exploitation expenses and local tour guides, while other community projects will also benefit from a more steady presence of tourists through the regular tourism fees for tour operators.



*Rest area within the Arawone Jungle Trail, Galibi*

© Stidunal, Galibi



Part of the Arawone Jungle Trail, Galibi  
© Stidunal, Galibi

(Interview with Basja Starian Aloewanai; January 2012)

(iii) A third example, widely occurring in various Indigenous regions in Suriname, is that of a *specific species protection*. This is most often linked to historical or spiritual beliefs. Well-known examples are the sacredness of the takini tree (*Brosimum acutifolium*), of which only the sap under the bark may be used by someone who has the potential to communicate with the supernatural world; the powers and spirits that are housed within the *kankantrie* (*Ceiba pentandra*) (cotton tree; see box 2) and may not be disturbed; the human spirit that is housed within certain animal species which can therefore not be harmed, e.g. the river dolphin and manatee (see box 3.); the spiritual messenger function of certain bird species.

**Box 2: Kumakande**

*Kumakande* is an area within the traditional territory of the communities of Galibi, Lower-Marowijne area in East Suriname, characterized by the presence of many *kankantrie* (kapok) trees. A man from the community explains: “*There are areas that are not used, that are not suitable for the Indigenous people if there are a lot of kankantrie trees. This tree must be respected or else you can become ill*”.

(VIDS 2006)

**Box 3: The story of the dolphin and the manatee**

There were once two sisters. Their parents had cut and cleared a piece of ground. The sisters had to go and plant it. Every day they went to the forest and took *kasiri* with them. But nobody knew what they did in the woods. One day their brother went to see how far they had got with the planting. He saw that nothing had been done. They had not been doing anything. He wondered then why they went into the forest. What did they do there? He decided to spy on the girls. One day he heard them shouting: “*aloewa loewa*”. The brother had climbed into a tree and saw that a tapir came. When the tapir was close to the girls he changed into a man. Then he made love to the girls. Then the brother became angry and went home and told his parents that the girls were doing nothing in the forest. They sent the girls to another family. The brother went back to the forest and called out the name the girls had shouted. Then the tapir came. The brother shot the tapir. After that he cooked the private parts of the tapir and

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

gave them to his sisters to eat. He asked them if they liked it. They said yes. Then he told them what they had eaten. They became so sad that they each took a *koro* (water jug) and went to the river. They wanted to go away, because they felt angry and sad. The one sister asked the other: “what would you like to be?”. She said: “I want to be a dolphin”. The other said: “then I want to be a manatee”. Then they went into the river with their jugs. And when the people went looking for the girls, they saw the jugs. It so happened that the girls had actually changed into a dolphin and a manatee. This is the reason why the Indigenous people do not eat dolphin (*Sotalia guianensis*; Kali’na name *iririgoela*) or manatee (*Trichechus manatus*; Kali’na name *jalawa*). They believe that these two animals were human beings in the past. And if you fell into the water, they would come and help you. People respect these animals. That is why Indigenous people do not eat them.

By Georgette Kumanajare (VIDS 2006)

(iv) A fourth type of ‘ICCAs’ in Suriname is that of *areas which are restricted in access* (e.g. no human settlements, but passing-through or hunting is allowed), or restricted in activity and use (e.g. agriculture is allowed but no hunting) or avoided at all (no entry). This can be an area with a special historic significance (see box 4 – Akijo Ituru and 5 – Werehpai), or an area which is known to house bad spirits, or an area that has been ‘set aside’ upon instruction of elders or shamans. There are also areas where access and use is restricted, or bound by strict rules (sometimes seasonal) because the community knows these areas are important breeding or spawning sites. Some Indigenous communities, such as the ones in the Lower Marowijne region, have started ‘zoning exercises’ in their process of developing a community-based land management plan, which indicate these kinds of zones. The specific reason of restricted access or activity differs from community to community, but the commonality of this type lies in the restricted use and/or access with the clear effect of area and/or ecosystem conservation.

### **Box 4: Akijo Ituru**

*Akijo Ituru* (waterfall of the Akijo, one of the tribal groups of the Trio peoples in Suriname) is the Trio name of a high waterfall situated near the southern border to Brazil. Over 500 years ago this name was given after the Akijo tribal group won the area in a battle against the Wayana people that lasted five years. This disputed area was (and still is) well-known for its abundance of all kind of fish, and was at that time claimed by both peoples. According to the legend, the war would be decided in favor of the people of whose warriors’ captain would successfully jump from the top of the waterfall. Who landed safely would win the waterfall and the surrounding area as their prize. First, the Trio captain jumped and survived. Then the captain of the Wayana warriors jumped but died. This is how the Trio obtained ownership over this waterfall and surrounding area, and named the waterfall *Akijo Ituru*.



*The Akijo Ituru rapids with the steep fall in the middle*  
© Ministry of Social Affairs, Sipaliwini Departement

*Akijo Ituru* is within the traditional territory of the Trio community of Pelelu Tëpu (*pelelu* = frog; *tëpu* = stone in Trio language), situated along the Tapanahony river. Although the *Akijo Ituru* area is still an occasional hunting ground of the community and the area is used as a transit spot when visiting families or friends on the Brazilian side of the Trio territory, it is treated with great respect and care is taken to maintain it clean and healthy as it was 500 years ago. Certain species may not be hunted. The community, after spotting a Brazilian ‘garimpeiro’ apparently planning on illegal gold mining, put up ‘no trespassing’ signs in Sranantongo (Surinamese), English and Portuguese, and local forest scouts of the community regularly patrol the area. Every five years (five, symbolizing the five years of war) some elders and youngsters from Tëpu make a five-day trip to *Akijo Ituru* to commemorate the historic victory. For the next five days they stay in camps on *Paoe* (= small island) and perform ceremonial activities, such as cleaning of the surrounding area of the waterfall, even the location where the captains of the Trio and Wayana jumped from, and offering sacrifices to *Papa Akijo*, a special rock which symbolizes the ancestors. After five days they return to the village. Their safe return and remembrance of this special victory give reason for a real feast in the village.

(Interview with Chief Moshesi, January 2012)

**Box 5: *Werehpai***

*Werehpai* is the name (named after a Trio hero) of an ancient site of the Trio Indigenous people in South Suriname, where a few hundreds of unique pre-Columbian petroglyphs have been found, carved in massive granite rocks that form several cave chambers. Also tools and pottery were found, with an estimated age of more than 4000 years, older than any other such archeological discovery in Suriname. The petroglyphs show a variety of faces, animals and other creatures, and geometrical patterns, some more than 1 meter big. There have always been many stories among the Trio and other southern Indigenous peoples about this region, particularly related to ancient wars between rivaling groups, but it was not until 2000 that this site was rediscovered by a villager from Kwamalasamutu (*kwamala* = bamboo; *samutu* = sand). Among other stories, it is said that the Okomoyana people had hidden in this area after



## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

a big war with the Trio nearby the Samuwaka village, while also the Murumurujo fled into the forests. The area can be reached after a one-hour boat journey from the Sipaliwini River to the Maripa Creek, followed by a foot trip through the forest.



*Petroglyph found in the Werehpai caves, in South Suriname, in the ancestral territory of the Trio indigenous people. The area is of ultimate historic and spiritual value to the Trio, and access to, and activity in the area is restricted.*

© Conservation International Suriname

The Trio have declared the site to be protected, out of respect for its ancestral significance and its value for future generations. It is forbidden to hunt, make agricultural plots, collect materials, and take pictures or other recordings. Local forest scouts patrol the area. Tourists are allowed only after explicit permission of the traditional authorities and with the accompaniment of a local guide. Once a year, elders and youngsters of Kwamalasamutu make a trip to the area, taking traditional food and drinks with them, and historic stories are shared there with the younger generation.

(Interview with Koeronkare Aiai; January 2012; SSM website)

(v) Potentially a fifth kind of 'ICCA', but probably just a variety of the ones mentioned previously, is that of *intensifying nature and/or biodiversity conservation practices* by an Indigenous community, sometimes on instigation and/or with the (financial) *support of environment organizations* (often international environment NGOs). This happens mostly through specific projects, e.g. a sea turtle conservation programme, or training and equipping of forest scouts to increase forest patrolling (box 6 – Mamija). The specificity of this 'type' lies in the conscious focus and selection of a species or practice or ecosystem with support by environmental organizations. There may or may not be governmental participation in such project, and often but not necessarily, these initiatives are linked to formally recognized nature reserves that were established within the Indigenous territories.

### **Box 6: Mamija**

*Mamija* (*Mami* = grey winged trumpeter; *Psophia crepitans*; *ja* = fast) is the name of a mountain in South Suriname, nearby the Sipaliwini Indigenous village, also known as the Vier Gebroeders mountain. The Trio people of Sipaliwini gave the mountain this name, because their ancestors would use the poison of the *okopipi*, as a potion to be able to run faster, during wars with the Okomoyana and Akijo Indigenous peoples. The *okopipi* or blue poison dart frog, is a protected specie that is unique in the world, only existing in the

Sipaliwini region. Around the Mamija area, there are also petroglyphs, tools and pottery to be found. It is therefore a special historic site of the Trio people. The mountain lies within the Sipaliwini Nature Reserve, established in 1972 (it was not until 1995 that the village was made aware of the establishment of the nature reserve).

To prevent intrusion in their traditional territory, particularly by (illegal) wildlife traders, the Sipaliwini village started patrolling the area. With support from the Amazon Conservation Team (ACT), park rangers were trained and equipped. They patrol the area and also function as tourist guides.

(Interview with head chief Ewka Oochpatapo, January 2012)

(vi) Finally, another type of ‘ICCA’ is a more transient and reactive one, very pragmatic in origin but with the clear effect of nature protection, namely *a temporary ban* or reducing the use of certain areas or species if the community notices a decrease in its population. Unlike commercial use of certain species or areas, community members would make a conscious decision to stop hunting a certain species, or cutting certain tree species, or moving to other areas, if they notice these species become scarce. Such a decision is agreed among the community members who use these species, e.g. hunters, collectors of roof materials, collectors of palm fruits.

### 2.3. Key ecological, cultural, socio-economic and political values of ICCAs

‘ICCAs’ (using the term but remembering the critical note made earlier, that in fact we are talking about Indigenous territories or certain parts or species therein, and that the concept has not yet been adequately discussed in Suriname) fulfill important functions for Indigenous peoples and communities in Suriname:

- Within the different regions the Indigenous communities exercise their customary territorial management and control over their traditional lands and resources, through their customary rules and practices and traditional authorities. This is a crucial aspect of exercising the right to self-determination as Indigenous peoples, and the right to own and possess their traditional lands and use their natural resources (in their own, holistic and sustainable manner), among other rights.
- ICCAs are essential to the livelihoods of the Indigenous communities. Conservation and protection of nature are essential for all aspects of life in communities who are intimately dependent on natural resources. These areas provide the (physical and/or cultural) resources the community needs. Destroying certain species, disturbing certain natural and/or spiritual equilibriums, or disrespecting traditional rules or prohibitions, would undoubtedly lead to a decrease in quality of the livelihood of communities.
- The stories, traditions and practices related to certain ICCAs are crucial in the preservation and transmission of culture and traditional knowledge, and maintaining respect for nature and supernatural powers. These stories, traditions and practices also fulfill a role in balancing ‘modern’ needs for income with traditional values.
- Some ICCAs fulfill a role in community life including recreational values, e.g. the joint cleaning of the mouth of the Wane Creek followed by sharing of food and drinks by the community of Wanshisha (Marijkedorp); the periodic travel of large parts of the community of Tëpu to Akijo Ituru by way of a holiday trip.

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

- ICCAs, particularly those that are established by the community in relation to income-generating activities, can be instrumental in improving the socioeconomic status of communities, as well as being a clear example of the possibility to effectively combine nature conservation and protection with sustainable income-generating activities.
- ICCAs can serve as examples of effective sustainable conservation, use and management of natural resources. Various specific examples have been mentioned above, among others: holistic ecosystem management of Indigenous territories with customary rules and agreements; special care or avoidance of specific areas such as Akijo Ituru and Werephai; protection of specific tree species such as the takini, kankantie and arawone (*Brosimum acutifolium*, *Ceiba pentandra*, and *Tabebuia serratifolia*, respectively); and, protection of animal species such as the dolphin, manatee and giant sea turtles. These are only some examples that were brought forward during the interviews in this research but there will undoubtedly be many more throughout Suriname. Several Indigenous communities have actually expressed that top-down legal conservation regulations of the government in their territories is not needed nor effective – the communities are capable themselves to protect and conserve the areas. Fortunately, there is international recognition and an evolving trend towards more holistic approaches to nature conservation, such as the landscape approach or the ecosystem approach, and towards more participatory formal mechanisms for nature conservation and protected area regulation. The Convention on Biological Diversity (CBD), at one of its recent meetings in November 2011<sup>5</sup>, has started to note the linkages between customary sustainable use and the landscape approach:
  - *“Customary sustainable use is an essential source for learning related to socio-ecological systems and possible innovations for productive landscapes and continued human well-being;*
  - *Biodiversity, customary sustainable use and traditional knowledge are intrinsically linked. Indigenous peoples and local communities, through customary sustainable use constantly shape and reshape social and ecological systems, landscapes, plant and animal populations, genetic resources and related management practices, thereby adapting to changing conditions such as climate change, and contributing to maintaining biodiversity and ecosystem services, and strengthening of the resilience of the socio-ecological systems;*
  - *Customary sustainable use provides not only for livelihoods of people and conservation of biodiversity but will also build resilience for climate change adaptation and a source for learning related to socio-ecological systems and possible innovations for productive landscapes and continued human well-being”*<sup>6</sup>.

### 2.4. Main threats to ICCAs

Following are the main identified threats or obstacles to ICCAs in Suriname:

(i) The most important threat is the *non-recognition of Indigenous peoples’ land and resource rights and other rights in Suriname’s legislation*. Suriname is the only country in the Western hemisphere that has no legislation on the rights of its Indigenous and tribal peoples; in fact,

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<sup>5</sup> Fifteenth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, Montreal, 7-11 November 2011.

<sup>6</sup> UNEP/CBD/SBSTTA/15/13, p. 5.

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

the legal system does not even recognize the existence of Indigenous and tribal peoples. Only in a few regulations there is mention of ‘hearing the involved community’ or ‘taking into account the interests of local population’, but these directions can be, and are frequently, set aside, circumvented or ‘implemented’ in a very superficial manner. There are also no sanctions or redress possibilities in case of violation of rights, even of these few existing directions. The lack of legal recognition of land rights and rights to participate in decision-making on issues affecting Indigenous peoples and their lands and livelihoods leads to frequent conflicts between government and Indigenous communities, in particular with regard to concessions that are issued by the government to national and multinational companies for mining, logging, infrastructural or other economic activities within or affecting Indigenous and tribal territories. These violations of Indigenous peoples’ rights have increased in recent years due to the intensified focus on natural resources (gold, oil, forest and water resources, etc.) in the Interior of Suriname. This creates an environment of uncertainty, fear and indecisiveness in Indigenous communities who have no recourse mechanisms and are marginalized in legal and political policy-making and decision-making. This in turn is a strong disincentive to actively establish and maintain ICCAs, fearing they may soon be extinguished by interventions ‘from outside’. Only recently a dialogue has started to discuss the process towards legal recognition of land and other rights of Indigenous and tribal peoples in Suriname.

(ii) Closely linked to this non-recognition of Indigenous peoples’ rights is the *unilateral character of the existing nature conservation legislation*. Apart from some guidance on ‘hearing the communities’ (without sanctions on non-compliance), all decisions are legally taken only by governmental bodies. The establishment of protected areas (which are almost always located within or overlapping with the traditional territories of Indigenous peoples) conflicts with traditional land and resource management, as there are two different and sometimes conflicting frameworks of rules and regulations (the traditional and the governmental/legal one) that the communities have to deal with. In the atmosphere of legal uncertainty and sometimes forceful enforcement of governmental rules, the communities may put less effort in maintaining and establishing ICCAs. This in turn leads to a corresponding loss of certain traditional knowledge, customs and traditions, but also to the loss of traditional custodianship over these areas and species, making them prone to ‘lawlessness’ and unsustainable use or depletion.

(iii) Again linked with the non-recognition of land and other rights, uncertainty over the ownership and use of their territories and natural resources, and the invasion by companies or individuals, and also under pressure of the growing importance of the monetary economy at local level (increasing need for cash), various members of the Indigenous communities make narrower and shorter-term decisions with regards to their natural environment, increasingly focusing on *short-term, unsustainable ‘modern’ uses of natural resources* instead of long-term traditional use.

(iv) Another threat is the *lack of legal recognition of the traditional authorities* of the Indigenous and tribal peoples. The official administrative system formally only knows political representative structures (Resort and District Councils) and local government structures (local government service or *bestuursdienst*) and officials (government supervisors or *bestuursopzichters*), who do not necessarily represent the opinions and aspirations of the communities and are often affiliated to and influenced by political parties. It is therefore easy for outsiders to ‘consult’ with those structures and obtain their agreement, instead of with the legitimate traditional authorities. In recent years this undermining of the traditional authority

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

structures has intensified through a decentralization programme (funded by the Inter-American Development Bank) that focuses on strengthening these legal structures only. Moreover, more recently, proactive efforts have been undertaken by the current government to replace traditional village leaders with party loyalists. These developments obviously have substantial impacts on the traditional community governance, including related to territorial and resource management and thus on the management of ICCAs (interview respondents from West Suriname).

(v) The lack of education opportunities in the communities (most do not go beyond primary school, if primary education is available at all) force the school kids to leave their village and live (often unaccompanied, e.g. in boarding houses) in urban areas during their further school years. If they manage to get through the many challenges facing them under these circumstances, they not often return to their villages because of lack of economic opportunities. Transmission of traditional knowledge and rules relating to nature conservation and management to these children is therefore passed along in a very limited way. In addition to the involuntary move to urban areas, the transmission of traditional knowledge and rules is also influenced by the education system. School curricula do not relate to the physical and spiritual natural world that the Indigenous children live in, and education is provided in non-Indigenous languages (Dutch, Sranantongo). These circumstances can make it *difficult to transmit local knowledge and related practices*.

(vi) A considerable threat is also the *pressure to have monetary income*, e.g. cash to pay school fees, transport or living expenses for children in boarding houses in the city, with the effect of being obliged to use less sustainable methods for more or faster utilization of natural resources, or to shift away from traditional subsistence activities to take on paid jobs, where available.

(vii) As mentioned above, the *intrusion of extractive industries* is in itself also posing a threat to ICCAs. A particular threat is the (illegal) small-scale gold mining, often done by Brazilian ‘garimpeiros’ (Brazilian name for small-scale goldminers who work individually or in small groups applying quick-win mining methods). Their practices have disastrous effects on the environment, e.g. through clear-cutting, river bank destruction and erosion, but also on human health due to the use of mercury that is dumped in creeks and rivers or evaporates during burning off the gold-mercury amalgamate. Their widespread activities in the Interior are accompanied by drugs, weapons, violence, STDs, prostitution, social disruption, etc. Bauxite mining such as for instance in the Wane Kreek area (which is, ironically, a nature reserve, overlapping with the traditional Indigenous territory in Lower Marowijne, where a concession has been issued to mining company Suralco, a subsidiary of Alcoa USA), has adverse impacts on Indigenous hunting and fishing areas. In the Wane Kreek area, an important conservation area for the Indigenous communities, the use of noise and lights chase game away, and the construction of entry roads opens up the area for poachers and hunters (VIDS, 2006).

### **3. Governance and management of ‘ICCAs’**

#### **3.1. How are ‘ICCAs’ governed and managed?**

‘ICCAs’ are managed through customary rules and traditions within the overall framework of the community decision-making structures, institutions, and processes. Within the more recent collaboration between the communities and (international) conservation organizations

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

there may be additional governing structures, which would still follow community governance as described in the example in box 1.

The Association of Indigenous Village Leaders in Suriname, VIDS (*Vereniging van Inheemse Dorpshoofden in Suriname*) is the traditional authority structure at the national level. The VIDS board is composed of representatives from the various regions in which VIDS is organized, namely East, West and Wayambo, South Trio, South Wayana and Central/Para. VIDS deals with larger policy and political issues, in particular the legal recognition of Indigenous peoples' rights (especially land rights and formal recognition of traditional authorities), facilitates transitions in community leadership, and moderates, where requested, in cases of governance problems at community level. VIDS is also the intermediary, if so requested by the communities, when communities or regions want to make agreements with companies or NGOs, or in cases of conflicts particularly regarding land use concessions that conflict with community's traditional territories.

At 'macro-regional' level there are formal or informal traditional governance structures of the communities, in which collective decisions concerning the region are taken. In East Suriname there is KLIM (Organization of Kali'na and Lokono in Lower Marowijne) and in the Central/Para region there is OSIP (Organization of Cooperating Indigenous Villages in Para). In addition to being regional bodies, they are also regional divisions and working arms of VIDS. They decide on regional matters, including regional projects. Similar, but less formal structures exist in the other regions.

These structures are the traditional governance framework within which the Indigenous territories and thus the 'regional ICCAs' are managed. There are also additional, more pragmatic and informal collaboration and monitoring mechanisms at regional level. For instance, if downstream community members see strangers are passing on the river, they will call to the villages upstream to notify them and tell them to keep an eye on these people.

At community level there are the traditional authority structures consisting of the village leader (chief or 'captain') and *basjas* ('assistants'), jointly called the 'village council' (*dorpsbestuur*). Most communities have women, youth, culture, and sports organizations. In larger communities there may be regular or incidental village structure meetings in which all these organizations participate, to take organizational decisions. Issues concerning the larger community are always discussed and decided upon in open community meetings (*dorpsvergadering* or *krutu*) for which everyone is invited. Information relevant for everyone is also shared in community meetings.

So this is the institutional setting in which 'ICCAs' are managed. A decision to establish an 'ICCA' or to enter into a project with an environmental NGO for example, would usually be taken in a community meeting, potentially after discussion within the 'structure meeting'. Specific knowledge holders (expert resource users, or elders) may play a special advisory role. Issues, problems, questions, planning of activities and such, related to the ongoing management would be discussed with the village council (chief and assistants). The village council is also responsible for enforcement of rules and local agreements. As mentioned before, in difficult cases the assistance of the regional structures and/or VIDS is called upon.

In addition to the institutional structures there are the actual rules for managing 'ICCAs'. These rules can be formalized (explicitly agreed during a meeting and/or written down), e.g. in projects with NGOs. In most cases, however, rules related to customary conservation areas

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

in Indigenous territories are not written down but are passed along orally, from elders to youngsters or from peers to peers (e.g. hunters among each other). Stories and descriptions of incidents and experiences are the most common ways to transmit the rules.

The rules (do's and don'ts) could be categorized (although somewhat artificially; as these rules operate in a holistic context, not in sectorial approaches!) into sustainability rules and spiritual requirements, ultimately based on respect for life and for supernatural powers. Some of these rules are as follows: a ban on mining and on clear-cutting of the forest, application of selective tree harvesting (cutting down a specific tree without others around it, or only trees of which the trunk is above a certain diameter), no large-scale hunting and fishing, no fishing and hunting in breeding seasons or in creeks where there are signs of fish roe or young offspring, using fishing nets with a certain width to avoid capturing young and small fish, not hunting on pregnant animals or animals with young offspring, no use of *nekoe* to stun (too many) fish. In addition, there is an active notion of conservation and protection with regard to slow reproducing species for which there are rules of not using more than strictly needed, a hunter may not shoot more than he can carry back to the village. Similarly, there are sustainable harvesting rules, e.g. not cutting down the whole tree but climbing in the palm to get the fruits, cutting trunks or vines only above a certain height of the stem and avoiding the roots in order to ensure re-growth. Certain species are forbidden to be killed because of spiritual beliefs, e.g. harming a sea turtle would elicit the anger of the guardian spirit of the turtles (interviews; VIDS 2006; VIDS 2010) (See also an example for the Kaboeri Creek area, box 7).

### **Box 7: Kaboeri Creek area**

The Kaboeri Creek is a 13 km-long tributary of the Corantijn River, the border river between Suriname and Guyana. The Kaboeri Creek and its surrounding area are an important part of the traditional territory of the Indigenous peoples of the three Lokono villages in West Suriname: Apoera, Section and Washabo, as their ancestors have lived and used that area for centuries. Together with other former settlements along the Corantijn River many stories and legends of this area provide information about the history of their ancestral territory. Nowadays many people still go to Kaboeri Creek to hunt, fish, and collect timber and non-timber forest products. The area has a high biodiversity value, which has been maintained and strengthened over the centuries, thanks to the observance of traditional laws and rules.



*Villagers on the Kaboeri creek in West Suriname*

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## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

As in other areas of their traditional territory, also in the Kaboeri area there are traditional, unwritten rules that hunters, fishers and collectors of non timber forest products follow to make sure that there will always be enough for the future generations, among others:

- Do not take more than you need. Using too much, or indiscriminately, is not permitted.
- Related to this: you may not waste or spoil or let something rot. That is not respectful. Animals that people do not use are not killed, because that would be wasting and disrespectful for life. Trees that people do not use, are not cut.
- People have to be very careful with female animals. The mother sometimes is together with the cubs, they eat together. And sometimes the female animals are pregnant. They may not be killed.
- People also cannot take young species. This applies to both game animals and fish, but also for young plants or trees that still have to grow. In the seasons when people know certain animals breed or have young ones, extra attention is paid to this rule.
- One protecting rule related to fishing, is, that the use of *nekoe*, an intoxicating plant extract, is forbidden, because too many fish in the creek, especially young ones, may die if it is used.

There are also certain mammal (such as jaguars, sloth, the giant otter and porcupine) and fish species that people may not eat, and also certain wood species that may not be cut, or can only be cut for special occasions, such as the *kankantrie*, the *ingipipa*, and nut trees.

(Interview with the Chiefs of the three villages Nado Aroepa, Carlo Lewis and Ricardo MacIntosh, January 2012, and VIDS Report 2009)

In addition to the many rules there are also the customary agricultural methods through which the land is managed, to ensure its long-term sustainability. The most common example of that is the rotational agriculture or shifting cultivation, whereby agricultural plots are used only for a certain period of time and are left alone for an extended time to allow for regeneration and revaluation of the soil. In addition, agricultural plots may not be too close to each other (VIDS 2010). Certain plant species are sowed in a certain order, as they are known to make the soil more or less fertile and should therefore be planted and harvested after or before the other species.

More recent conservation initiatives for ecotourism or as part of an environment-oriented project (with donor funding) may have, in addition to the normal traditional rules, a more formal management structure or are managed by a specific community organization such as the women's or youth organization, the local environmental organization or the community development organization. These structures take the day-to-day decisions, e.g. on maintenance of the area, environmental patrolling, entry fees for tourists, transport arrangements, personnel matters. The community organizations normally also fall under the overall village authority (village council) and are ultimately responsible to the community as a whole, through village meetings (*dorpsvergadering* or *krutu*).

### 3.2. Key issues faced in governing and managing ICCAs

Key issues in governing and managing 'ICCAs' are:

- Clear and strong traditional governance structures within the communities are crucial. Traditional authorities but also the community members have to be committed to maintain 'law and order' in accordance with traditions and culture, and must be able to



## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

withstand ‘modern’ pressures and challenges and/or find solutions to these challenges that are still consistent with the Indigenous culture and traditions.

- The non-recognition of Indigenous peoples’ rights in Suriname, in particular legal recognition of land rights and traditional governance structures, is also a big issue in relation to governance and management. It results in ambiguous situations where: communities cannot enforce their rules and control if the government at the same time issues exploitative concessions and other permits in Indigenous territories; communities cannot make long-term planning in accordance with their own visions and aspirations; customary rules and traditions are overruled with force or court decisions if necessary; traditional leadership seems to be actively undermined in favor of party-political exponents (including in decentralized government structures); and communities suffer from general legal uncertainty and marginalization – in the words of an Indigenous resource user: “*as if we simply do not count; the animals have more rights than us*”.
- Conflicting rules, namely between customary and statutory legal rules, are another issue in governing and managing (potential) ICCAs. An example is the difference of formal and customary hunting seasons. The villagers are supposed to observe the legal hunting calendar, which does not correspond to the actual mating or breeding season that the Indigenous resource users see in reality. Conversely, individuals who, for personal benefit, do not want to comply with customary rules, can claim that they are not obliged to follow customary laws.
- As mentioned earlier, there are increasing pressures to adopt a monetary lifestyle which leads to pressures on the maintenance and enforcement of traditional rules. For example, sometimes local community members are contracted by a logging concessionary and are subsequently required to clear-cut forests and/or species, even those which belong to a (non-legally recognized) community ‘ICCA’.

### 4. Recognition and Support to ICCAs

#### 4.1. Government recognition and support to ICCAs

Current legislation on protected areas dates back to the 1950s and does not recognize ICCAs, nor are there formal guidelines to support those. The concept of ICCAs is practically not known (yet) in Suriname, only by a few professionals who have followed debates in relation to the CBD and/or IUCN, or through their own organizational networks (e.g. international environment NGOs). However, there is openness and broad interest in the concept and its potential applicability, from all interested actors interviewed.

The Ministry of ATM (Labor, Technological Development and Environment) is responsible for the formulation and coordination of environment policies in Suriname and is also the focal point for the major environment conventions. Although the concept of ICCAs is not (yet) known and not legally recognized, the Ministry of ATM holds the opinion that “*Indigenous communities have the right to recognize certain areas that have biological, cultural or esthetic values within their residential areas as their protected areas*”. From the side of the ministry no concrete actions have been undertaken so far to identify or potentially recognize or support Indigenous peoples’ nature conservation initiatives and activities. The ministry has established a specific Environment Directorate that is also intended to function as focal point for Article 8(j) and related provisions of the CBD. Also, the National

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

Biodiversity Strategy (NBS, 2006) and National Biodiversity Action Plan (NBAP) have been formulated, which make reference to nature conservation and protected areas but do not specifically mention ICCAs or Indigenous conserved areas as such. Another ministry, of Physical Planning, Land and Forest Management (RGB) is responsible for the implementation of protected area policies and it would be that ministry to lead possible initiatives regarding support and recognition of the ICCA concept. Where necessary, ATM is willing to support RGB.

The Ministry of RGB also expressed not to be aware of the ICCA concept, and no policies in this regard has been formulated yet. There is interest to further explore the concept, however. Current regulations have a potential for certain (limited) participatory arrangements, more specifically for the establishment of a ‘consultation commission’ (*overlegcommissie*) in relation to protected areas, in which Indigenous community representatives participate. This has so far been piloted in three cases where protected areas overlap with Indigenous territories. Criticism of this arrangement is that this body still operates on the premise of the exclusive power of government to establish and decide on protected areas, and that the Indigenous representatives only have an advisory role and that their advice can easily be set aside, which has caused frictions in the past.

The Ministry of Regional Development (RO) is also not familiar with the concept. The ministry emphasizes that potential recognition and support of ICCAs is intimately related to the larger issue of legal recognition of land rights of Indigenous and tribal peoples in Suriname. As long as this recognition is not in place, the government can continue to exert its formal powers related to land and natural resources, and the potential for conflicting arrangements would thus continue to exist.

### **4.2. Civil Society recognition and support to ICCAs**

Environment organizations, mostly internationally active environment NGOs that have offices in Suriname such as WWF, Conservation International and Tropenbos International, are generally aware of the concept of ICCAs, among others thanks to their relation with their head offices and their more intensive participation in international networks and processes. The Suriname Conservation Foundation (SCF), a national environment organization, is a member of the IUCN.

In general, these organizations all recognize the important role of Indigenous communities in nature conservation. Recognition of ICCAs as formal protected areas would underline and support this role. ICCAs could also be a venue for sustainable development of the involved communities. Increasingly there are programmes and projects set up that not only support government initiatives but also directly support Indigenous and local communities in their conservation and sustainable use of nature. Cooperation with Indigenous peoples and the traditional authority structure VIDS is generally good and expanding. Many projects have a link with existing protected areas, focusing on the Indigenous community’s role in such areas, and increasingly projects are undertaken to support Indigenous communities in their own conservation initiatives.

Support is mainly in the form of financial support, capacity strengthening and small infrastructural works. While appreciative of the growing support, VIDS has called upon the environment organizations to take a more outspoken human rights-based approach, adhere to international standards and to their respective corporate policies on Indigenous peoples’

rights, and to put more proactive efforts in promoting Indigenous peoples' rights rather than 'hiding' behind inadequate and outdated national legislation that does not require these organizations to adhere to the higher international and their institutional standards on Indigenous peoples' rights (VIDS/FPP 2009). It is worth mentioning that the research and contacts with the environment organizations in the collection of data for this report has generated positive responses among the environment organizations to explore further cooperation with VIDS and the Indigenous communities in this regard.

### 4.3. Key issues for the recognition and support to ICCAs

Key issues related to the recognition and support of ICCAs in Suriname are the following:

- An overarching and recurring issue is the outdated and inadequate legislation on Indigenous peoples' rights in Suriname. New legislation is necessary for recognizing Indigenous peoples' land and resource rights as well as for enabling formal management arrangements of existing protected areas and establishing new categories of protected areas (*including* Indigenous controlled areas). Current practical arrangements of co-management, e.g. the 'consultation commissions', are by far insufficient and not adequate to meet the new paradigms that respect the vital relation between effective nature protection and sustainable use and Indigenous peoples' rights. While this is generally acknowledged, little priority is given at policy level to set up structured processes to change this situation.
- Limited human, technical and financial capacity is certainly a decisive factor in enabling change. Sometimes there is willingness to work on change but this is not translated into activities due to lack of especially human resources. This is the case on the side of the government but also among the Indigenous communities. Well-meant support offered by NGOs or volunteers is rarely a solution, particularly if the objectives of this support are mainly focused on achieving conservation goals rather than community priorities such as land rights recognition or autonomous development building on their own local capacity.
- A related issue, also mentioned above, is the restriction that environment NGOs seem to apply to their work in Suriname. In light of the absence of legislation on land and resource rights of Indigenous peoples, they mostly limit themselves to strict conservation-related support that not always corresponds to the aspirations of the communities. Changes in this attitude are recently observed, however.
- Another issue is that many institutions and persons in Suriname have doubts about the ability of Indigenous communities to effectively manage their own territories. This doubt is likely based on insufficient information and understanding of Indigenous peoples' perspectives on nature management, and apparently only looks at superficial and incidental manifestations, e.g. illegal egg poaching or commercial hunting by a few individuals, thereby disregarding the larger picture of traditional territorial management and the absence of a legal enabling environment.
- As mentioned earlier, there are question marks on the concept of ICCAs itself, and further information-sharing and frank discussions would be needed to be able to have well-informed positions and proposals. There is an understandable suspicion or fear that this may be 'another trick' to achieve narrow conservation objectives rather than

real respect and legal recognition of collective rights, which is the overarching priority for Indigenous peoples. Introducing the ICCA concept may unduly shift the focus away from actual recognition of Indigenous peoples' land and resource rights, towards just some recognition of their contribution to conservation goals through Indigenous peoples' community conserved areas. The conservation framework and the human rights framework are inseparably linked from the Indigenous peoples' perspective, and this needs to be understood and respected, and translated into appropriate action.

### 5. The future

#### 5.1. Future activities planned by the communities, the government, and the civil society; especially in relation to issues of recognition and support

As the concept of ICCAs is not widely known in Suriname (yet), there is not much concretely planned in this regard. The government has indicated to be interested to learn more about ICCAs. The undertaking of further initiatives would depend on the interested parties themselves, e.g. VIDS. It was furthermore emphasized that the discussion about this would be very much related to the ongoing discussions on legal recognition of Indigenous and tribal peoples' rights.

At the time of writing this report, preliminary discussions are being held between the government and traditional authorities of the Indigenous and tribal peoples, for planning a process towards legal recognition of Indigenous and tribal peoples' rights in Suriname. This would entail collaborative drafting of legal bills for submission to the National Assembly of Suriname, demarcation of Indigenous and tribal peoples' territories, and awareness processes for the larger Surinamese society who is not much aware yet of the internationally recognized rights of Indigenous and tribal peoples. It is expected that such process may take at least two years, but the government has expressed its firm commitment towards legal recognition of land rights, traditional authorities and other rights of Indigenous and tribal peoples within the current administration period.

The pressing urgency to legally recognize Indigenous and tribal peoples' rights in Suriname was also confirmed and ruled in the 2007 landmark Saramaka judgment of the Inter-American Court of Human Rights<sup>7</sup>, and thus constitutes a legal obligation of Suriname. The Court sentenced Suriname to legally recognize the collective rights of the Saramaka tribal people, including their land rights, the right to free, prior and informed consent, their legal status as collectivity, and their traditional authorities and governance structures. Two comparable cases of violations of Indigenous peoples' rights are in consideration by the Inter-American Commission on Human Rights.

Various environment organizations have expressed the wish to further work with interested parties on this concept, within the Surinamese context.

Indigenous communities' respondents have mentioned to be interested to learn more about ICCAs, their potentials and shortcomings, and expressed it is necessary to generate wider awareness and have more (internal) discussions about it. It is something that could potentially be included in the land management plan that the communities of the Lower Marowijne region are currently developing.

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<sup>7</sup> [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_172\\_ing.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_172_ing.pdf)

### 5.2. Recommendations

Following are some recommendations related to the key issues of recognition and support of ICCAs in Suriname:

- ✓ A wider discussion should be held about the potential benefits and disadvantages or risks of ICCAs. While its application can have benefits, including recognition and protection of Indigenous peoples' conserved areas, it can by no means be an alternative to, or even be limiting, effective legal recognition of Indigenous peoples' land and resource rights, or distract the focus from the latter.
- ✓ Awareness activities on holistic customary territorial management including environmental conservation and sustainable use of nature by Indigenous peoples' communities are certainly recommended. This would also tackle the issue of insufficiently informed negative opinions about the impact of Indigenous peoples' activities on nature.
- ✓ Crucial is the legal recognition of Indigenous peoples' rights in Suriname. Any and all discussions related to nature conservation are inseparably related to the rights and lives of the peoples and communities who have a deep-rooted relation with, and are dependent in all aspects of life, on a healthy environment, and who have also guaranteed and cared for that health in their own holistic ways. The outdated legislation that assumes that all land is state-owned and controlled, and that decisions can only be made by the government, must be corrected. As mentioned above, a process towards legal recognition of Indigenous and tribal peoples' rights is currently being discussed.
- ✓ The possible recognition of ICCAs would need to be based on an explicit land rights premise in which the holistic territorial management of Indigenous peoples is (legally) respected, rather than only allowing efforts of Indigenous communities for narrow conservationist objectives. In fact, a future discussion should probably not be on 'recognizing ICCAs' but on the value that the full recognition of Indigenous peoples' rights will have for environmental conservation and sustainable use, management and enrichment of nature and natural resources.
- ✓ The aforementioned issue of limited capacity of all involved actors is a more structural problem that needs a structural, long-term solution. It is recommended that donor institutions, international organizations but also recipients of support, consciously focus on long-term capacity-strengthening approaches in addition to the often short-term activities that mainly address immediate needs but then cannot be sustained in the long term due to insufficient internal capacities. VIDS is working in such a long-term manner, with an explicit focus on local empowerment, but limited human and financial resources are a continuous bottleneck.
- ✓ It is recommended that environment NGOs move away from the old paradigms and outdated legal prescriptions of not recognizing land and resource rights of Indigenous peoples and of shutting out people(s) from protected areas without due recognition of their rights, and that they become even more proactive and outspoken in promoting and implementing a rights-based approach to their programming and support.

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

- ✓ Past violations of Indigenous peoples' rights must be rectified, which will also clear the way for full Indigenous peoples' control over their lands and territories and territorial management in accordance with customary rules and practices. Such correction of past injustice should be done by withdrawing concessions given out for commercial and/or exploitative objectives to national and multinational companies or individuals, and to similarly abolish protected areas within ancestral Indigenous territories, at the same time formally handing over the responsibility and enforcement powers for its sustainable management to the involved communities.
- ✓ In addition to ensuring no discrimination in education, education must be culturally sensitive. Education in Indigenous languages and on issues that relate to the local environment and related knowledge and practices is vital to maintain customary sustainable use and traditional knowledge. Ecological concepts and knowledge in many instances cannot be translated into non-Indigenous languages, and moreover, the transfer of such knowledge and skills usually takes place in the ecosystem, not in a classroom. Recently, VIDS has started to develop and test education materials in Indigenous languages in several Indigenous villages.
- ✓ The issues of 'modernization', the growing requirement of more money-based livelihoods, and transfer of traditional knowledge are interrelated and very much linked to the larger issue of societal respect for the Indigenous peoples' identity and cultures, cultural revalorization, and broader awareness among the larger Surinamese society. These are long-term processes, and in spite of its resource limits, VIDS is undertaking efforts focused on these issues. Among others, a project is being implemented for bilingual and intercultural education for Indigenous children in various Indigenous villages, and another initiative is the support of Indigenous women to set up small enterprises from a rights-based approach and rooted in Indigenous cultural visions and mechanisms. Various villages are also undertaking initiatives towards culturally appropriate and sustainable economic income generation, under their own control and management. General awareness activities are continuously undertaken as well. It is recommended to strengthen these actions and projects, again by way of a more holistic approach, and not only by narrowly focusing on (often unsustainable and short-term) conservations projects.

## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

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## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

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## RECOGNITION AND SUPPORT OF ICCAs IN SURINAME

### Annex 1: List of interviewees

<b>Indigenous communities / organizations</b>		
<i>Region</i>	<i>Name</i>	<i>Position</i>
East	AWANKAROE George	Coordinator of KLIM
	BISWANE Louis	Basja of Pierrekondre
	ALOEWANAI Starian	Treasurer of STIDUNAL
	WATAMALEO Grace	Chief of Marijkedorp
	SABAJO Max	Head Basja of Marijkedorp
Wayambo	JOGHI Roberto	Chief of the Kaliña village Donderkamp
South	SANAUPE Moshesi	Chief of the Trio village Tepü (Peelutepu)
	OOCHPATAPO Ewka	Head Chief of the Trio (Sipaliwini Village)
	AIAI Koeronkare	Member of the Trio village Kwamalasangutu
West	LEWIS Carlo	Chief of Apoera
	AROEPANardo	Chief of Section
	MACINTOSH Ricardo	Chief of Washabo
<b>Government</b>		
<i>Ministry</i>	<i>Name</i>	<i>Position</i>
ATM	CAUPAIN Janella	Policy Officer, Directorate Environment
RO	DEWINIE Sherita	Policy Officer, Department of Tribal Issues
RGB	ESAJAS Hesdy	Head of LBB
	KASANTAROENO Frans	Director of STINASU
<b>Non-governmental organizations</b>		
<i>Organization</i>	<i>Name</i>	<i>Position</i>
CI Suriname	RESOMARDONO Chiquita	Environmental Policy Coordinator
TBI Suriname	VAN KANTEN Rudi	Programme Director
WWF-G	ZONDERVAN Gerold	Regional Adviser to the Regional Director
SCF	MALONE Stanley	Programme Manager