

Republic of Suriname

# Suriname Competitiveness and Sector Diversification Project (SCSD)

## Indigenous and Tribal Peoples Planning Framework

(P166187)

June 2019

## ABBREVIATIONS

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Aoi	Area of influence
CPS	Country Partnership Strategy
DNA	The National Assemblée ( <i>De Nationale Assemblée</i> )
DC	District Commissioner
EBS	Energy Company of Suriname ( <i>Energie Bedrijven Suriname</i> )
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
GoS	Government of Suriname
IACHR	Inter-American Commission on Human Rights
InvestSur	Institute for the Promotion of Investments in Suriname ( <i>Instituut ter Bevordering van Investerings in Suriname</i> )
ITP	Indigenous and Tribal Peoples
ITPPF	Indigenous and Tribal Peoples Planning Framework
Km	Kilometre
LVV	Agriculture, Animal Husbandry and Fishing, Ministry of ( <i>Landbouw, Veeteelt, Visserij</i> )
NGO	None Governmental Organisation
NH	Natural resources, Ministry of ( <i>Natuurlijke Hulpbronnen</i> )
NIMOS	National Institute for Environment and Development in Suriname ( <i>Nationaal Instituut voor Milieu en Ontwikkeling Suriname</i> )
OP	Operational Policy
PIU	Project Implementation Unit
RO	Regional Development ( <i>Regionale Ontwikkeling</i> ), Ministry of
ROGB	Spatial Planning, Land and Forest management, Ministry of ( <i>Ruimtelijke Ordening, Grond- en Bosbeheer</i> )
RSA	Rapid Social Assessment
SCSD	Suriname Competitiveness and Sector Diversification
SME	Small and Medium scale Enterprises
SWM	Suriname Water Company
VIDS	Association of Indigenous Village Leaders ( <i>Vereniging van Inheemse Dorpshoofden in Suriname</i> )
VSG	Association of Sarammacas Dignitaries ( <i>Vereniging van Saramaccaanse Gezagsdragers</i> )
WB	World Bank

## GLOSSARY OF TERMS

Term	Definition
Area of Influence	The area likely to be affected by the project, including all its ancillary aspects, such as power transmission corridors, pipelines, canals, tunnels, relocation and access roads, borrow and disposal areas, and construction camps, as well as unplanned developments induced by the project (e.g., spontaneous settlement, logging, or shifting agriculture along access roads).
Community	Usually defined as a group of individuals broader than the household, who identify themselves as a common unit due to recognised social, religious, economic or traditional government ties, often through a shared locality.
District	Administrative Unit, comparable with a province. Each district has its own district government with limited powers of decision-making, headed by a District Commissioner (DC).
Domain Land Dutch: <i>domeingrond</i>	All land, to which third parties cannot prove land tenure rights is domain land, that is, property of the state.
Grievance Mechanism	This is a process by which Project beneficiaries or Project Affected Persons can raise their concerns and grievances to Project authorities.
Indigenous Peoples	In this report, the term Indigenous Peoples is applied to the first, native inhabitants, who populated Suriname prior to colonial times. They are also referred to as Amerindians.
<i>Krutu</i>	Meeting in Indigenous and maroon communities (SUR)
Livelihood	The term 'livelihood' refers to the full range of means that individuals, families, and communities utilise to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.
Maroons	Tribal people of African descent; the descendants of persons who escaped slavery, and established independent tribal communities in the forested interior of Suriname.
Project Affected Persons	A person who has been affected due to loss of land, house, assets, livelihood or a combination of these due to project activities
Ressort	Administrative unit, subsection of a District.
Stakeholders	All individuals, groups, organisations, and institutions interested

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	in and potentially affected by a Project or having the ability to influence a Project.
Vulnerable People	Distinct groups of people who might suffer disproportionately from project impacts such as people below the poverty line, the landless, the elderly or disabled, women and children, indigenous peoples, ethnic minorities.

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Figure 1. Suriname country map with districts



Table 1. Suriname Facts and Figures

Indicator	Value <sup>1</sup>
Land area	163,820 km <sup>2</sup> (ABS, 2018)
Total population, 2016 estimate	575,700 (ABS, 2018)
<b>Economy</b>	
GDP (current SRD), 2016 figure	SRD 20,420 Mln (ABS, 2018) (USD 3,299 Mln)
GDP growth, annual, 2016 figure	-5.1 % (World Bank, 2018)
Per capita National Income, 2016 figure in SRD and USD	SRD 34,245 (ABS, 2018) (USD 5,532)
% of population living in poverty, 2016 data	26.2%, (IADB, 2018)
Hourly minimum wage	SRD 8.40 (USD 1.12), since July 1, 2018
Unemployment rate, relaxed definition. 2016	15% (ABS, 2018)
Annual remittances flow to Suriname	114 million (Multilateral Investment Fund, 2012)
<b>Indigenous and tribal Peoples</b>	
Indigenous groups	Lokono (also: Arowak); Kaliña (also: Carib); Trio (also Tiryó) and related ethnic groups; Wayana and related ethnic groups.
Maroon groups	Ndyuka (also: Okanisi, Aukaners), Saamaka (also: Saramaka), Paamaka (also: Paramaka), Matawai, Kwinti, and Aluku (also: Boni).
Indigenous Peoples, as a % of the national population, 2012 Census.	3.8 % (ABS, 2012)
Maroons, as a % of the national population, 2012 census	21.7% (ABS, 2012)
Number of Indigenous individuals living in tribal communities	Est: 12,000
Number of Maroons living in tribal communities	Est: 50,000
<b>Mining industry</b>	
Minerals mined	Gold, construction materials, diamonds
Large-scale gold mining firms	2 (Newmont, Iam Gold)
Est. # of Artisanal and Small-scale gold Miners (ASM).	12-15 thousand, including service providers (Heemskerk et al., 2016)
National gold production, 2015	27.8 tons
Government mining revenue in % of GDP	6,2%
ASM gold production as a percentage of total gold production, 2014	65.4% (Central Bank of Suriname, 2016)
<b>Agribusiness</b>	

<sup>1</sup> For SRD to USD conversions, an average rate of 6.19 was used for 2016; 7.5 SRD to 1 USD was used for 2018.

Number of persons employed in agriculture, animal husbandry, forestry and fishing, ages 15-64, 2012 census	Total: 8,590 (4.6% of total working population) Male: 6,865 Female: 1,725 (ABS, 2014)
Total industrial fisheries fleet, 2015 data	102 vessels (ABS, 2018)
Total coastal fishing fleet (SK)	418 vessels (ABS, 2018)
Total inland and estuarine fishing fleet	622 vessels (ABS, 2018)

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# 1 SUMMARY ITPPF

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**The Project:** This report presents the Indigenous and Tribal Peoples Policy (ITPP) that was produced by the Government of Suriname (GoS) as part of the requirements for a lending operation with the World Bank. The proposed Project, fully named the *Suriname Competitiveness and Sector Diversification Project (SCSD)* contains three components:

- *Component 1:* Strengthening the mining sector governance, transparency, accountability, and administration, which finances technical assistance to support improvements to the legal, regulatory, and institutional framework governing mining in Suriname, including for environmental and social impact management.
- *Component 2:* Investing in small and medium-sized enterprises (SMEs) and value chains in targeted emerging industries. Activities include (a) SME support fund, financing business development services and matching grants for equipment or other investments for individual firms or groups of firms applying for shared assets, and (b) technical assistance and capacity support for investment climate and institutional reforms, especially for tourism and agribusiness.
- *Component 3:* Project management and evaluation

Within the GoS, the Ministry of Natural Resources (NH) is the main implementing partner for Project Component 1, and the Ministry of Trade, Industry and Tourism (HI&T) is the main implementing partner for this Project Component 2. Each Ministry will host a Project Implementing Unit (PIU).

**The World Bank Operational Policy on Indigenous Peoples (OP 4.10):** The World Bank recognizes that the identities and cultures of Indigenous Peoples are inextricably linked to the lands on which they live and the natural resources on which they depend. These distinct circumstances make Indigenous Peoples particularly vulnerable to different types of risks and levels of impacts from development projects, including loss of identity, culture, and customary livelihoods, as well as exposure to disease. For these reasons, general principles of the World Bank OP 4.10 indigenous peoples include: (a) the development process must fully respect the dignity, human rights, economies, and cultures of Indigenous Peoples and -in the Suriname case- Maroons; (b) Indigenous Peoples and Maroons affected by the project receive culturally appropriate social and economic benefits; and (c) when potential adverse effects on Indigenous Peoples and Maroons are identified, those adverse effects are avoided, minimized, mitigated, or compensated for.

**ITPPF objectives:** In order to be eligible for World Bank funding, safeguards for the protection of Indigenous and Maroon Peoples' rights, and for their fair and transparent consultation and participation in the Project must be in place. In dialogue with the World Bank, this safeguard report is named "*Indigenous and Tribal Peoples Planning Framework*", to explicitly acknowledge its applicability to both Indigenous Peoples *and* Maroons, who are tribal people of African descent. Its specific aims are to:

1. Identify potential positive and adverse effects of the SCSD project on Indigenous and Maroon populations;
2. Propose measures to avoid, minimize, mitigate, or compensate adverse Project impacts on Indigenous Peoples and Maroons;



3. Present a framework for ensuring free, prior informed consultations with broad community support with affected Indigenous and Maroon populations during project implementation, including a grievance redress mechanism; and
4. Propose institutional arrangements for screening the project impacts on indigenous and Maroon populations and evaluating their effects, including the preparation of Indigenous and Tribal Peoples Plans (ITPPs) for specific locations and/or activities.

**Project anticipated impacts associated with World Bank OP 4.10:** It is anticipated that PC1 activities will, in line with OP 4.10:

- Not affect any land or resources of Indigenous peoples and Maroons
- Possibly generate questions in relation to support to improve the legal, regulatory, and institutional framework governing mining

It is anticipated that PC2 activities will:

- Not involve the loss of customary land and material and immaterial resources for Indigenous peoples and Maroons.
- Be limited to small-scale use or acquisition of land, including resources, that is part of the traditional living and user area of Indigenous Peoples and Marrons.
- Can have a possible positive impact on Indigenous and Maroon SMEs; directly if these SMEs are Project beneficiaries of matching grant support, or indirectly, if Project activities enhance demand for products from Indigenous and Maroon entrepreneurs in the agribusiness and tourism sectors.

Procedures have been included in the Project to ensure that adverse impacts will be mitigated and lost resources will be compensated. Where in kind compensation is not feasible or desirable, cash compensation will be considered.

**OP 4.10 required procedures and SCSD Project design alignment:** This ITPPF documents procedures to ensure that any impact associated with OP 4.10 will be properly addressed. As such, this ITPPF states the obligations legally tied to the World Bank financing. In the context of PC1, any technical assistance support provided related to the mining sector legal, regulatory, and institutional framework will consider the principles outlined herein. The specific PC2 Project activities will be selected during the project implementation phase. Once the specific investments and their locations have been selected, an ITPP will be developed for specific activities, as appropriate. The ITPP will provide information on: (a) the specific impacts that cannot be avoided; (b) consultations and agreements with affected communities; and (c) procedures to mitigate impacts, such as taking specific culturally appropriate measures to work in certain areas. Where applicable, this practical plan will be elaborated as part of the development of the engineering designs. Where and when an ITPP is produced, it will be discussed with the community and improved based on the comments received. Each ITPP will be implemented during the execution of the construction works, under the oversight of the PIU, assisted by the complementary technical support to be financed under the Project. Technical capacity, financial resources, and procedures have been included in the Project to ensure the implementation complies with the OP 4.10 objectives.

**Grievance Redress Mechanism (GRM):** In addition to the precautionary measures described above, the Project includes procedures to make a GRM available. The purpose of this GRM is to ensure that any person that feels negatively affected by the Project activities can convey her/his complaint. The GRM will be located within the Ministry of NH (PC1) and the Ministry of HI&T (PC2), but specifications, such as operational features, are not yet defined. It is legally required that the GRM will be of easy access and that complaints are rapidly addressed.

**Institutional responsibilities for the Project compliance with the OP 4.12 requirements:** The Ministries of NH and HI&T — in accordance with the legal obligations tied with the World Bank financing agreements — are responsible for ensuring that the Project implementation will be carried out in compliance with the provisions set by this ITPPF and future ITPPs, as appropriate. Each Ministry will be supported by a PIU, which will have the direct responsibility for the implementation of instruments and procedures associated with OP 4.10.

## 2 NEDERLANDSE SAMENVATTING

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**Het Project:** Dit rapport bevat het Inheemsen en Tribale Volkeren Beleidsraamwerk (*Indigenous and Tribal Peoples Planning Framework - ITPPF*), dat door de Overheid van Suriname (OvS) geproduceerd is als onderdeel van een leningsovereenkomst met de Wereldbank. Het voorgestelde Project, voluit genaamd het “Suriname Concurrentievermogen en Sectordiversificatie Project (*Suriname Competitiveness and Sector Diversification Project - SCSD*) bevat drie componenten:

- *Component 1:* Versterking van het bestuur van de mijnsector, transparantie, verantwoording en administratie, die technische bijstand financiert ter ondersteuning van verbeteringen aan het juridische, regelgevende en institutionele kader voor mijnbouw in Suriname, inclusief voor beheer van milieu- en sociale effecten.
- *Component 2:* Ondersteuning voor waardeketens, en voor Kleine en Middelgrote Ondernemingen (KMO's) in doelgerichte industrieën. De activiteiten omvatten (a) een KMO-ondersteuningsfonds, financiering van bedrijfsontwikkeling, en matching grants voor apparatuur of andere investeringen voor bedrijven of waardeketens; (b) financieren van overheidsinitiatieven die bijdragen aan het verbeteren van het algehele investeringsklimaat en de hiervoor noodzakelijke institutionele hervormingen, met name op het gebied van toerisme en agribusiness.
- *Component 3:* Project management en evaluatie

Binnen de OvS is het Ministerie van Natuurlijke Hulpbronnen (NH) de belangrijkste uitvoerende partner voor Project Component 1, en het Ministerie van Handel, Industrie en Toerisme (HI&T) de belangrijkste uitvoerende partner voor Project Component 2. Elk ministerie huisvest een eigen Project Implementatie Unit (PIU).

**The World Bank Operational Policy on Indigenous Peoples (OP 4.10):** De Wereldbank erkent dat de identiteit en cultuur van inheemse volkeren onlosmakelijk verbonden zijn met de gronden waarop zij leven en de natuurlijke hulpbronnen waarvan zij afhankelijk zijn. Vanwege deze verbintenis zijn Inheemse Volkeren extra kwetsbaar voor de risico's en gevolgen van ontwikkelingsprojecten, waaronder het verlies van

identiteit, cultuur en traditionele bestaansmiddelen, en blootstelling aan ziekte. Het Operationele Beleid ten aanzien van Inheemse Volkeren van de Wereldbank (OP 4.10) heeft daarom als grondbeginselen: (a) het ontwikkelingsproces moet de waardigheid, mensenrechten, economie en cultuur van Inheemse Volkeren en - in het geval van Suriname - Marrons respecteren; (b) Inheemse volkeren en Marrons die negatieve gevolgen van het project ondervinden, worden op cultureel passende wijze gecompenseerd voor sociale en economische neveneffecten; en (c) wanneer er vastgesteld is dat Project activiteiten mogelijke schadelijke effecten op Inheemse Volkeren en Marrons kunnen hebben, zullen deze effecten vermeden, geminimaliseerd, gematigd of gecompenseerd worden.

**ITPPF-doelstellingen:** Om in aanmerking te komen voor Wereldbank financiering moeten waarborgen voor de bescherming van de rechten van Inheemse Volkeren en Marrons, en voor eerlijke en transparante consultatie met, en deelname aan, het project door deze groepen aanwezig zijn. In dialoog met de Wereldbank is dit document "Inheemsen en Tribale Volkeren Beleidskader" genoemd. Hiermee wordt er expliciet erkend dat dit raamwerk van toepassing is op zowel Inheemse Volkeren als Marrons – tribale groepen van Afrikaanse afkomst. De specifieke doelstellingen zijn:

1. Identificeren van potentiële positieve en nadelige effecten van het SCSD-project op Inheemsen en Marrons;
2. Maatregelen voorstellen om nadelige projectgevolgen voor Inheemse Volkeren en Marrons te vermijden, te minimaliseren, te mitigeren of te compenseren;
3. Een kader ontwikkelen om ervoor te zorgen dat er zowel vóór als tijdens uitvoer van Project activiteiten vrijwillig en geïnformeerd overleg met de getroffen Inheemse en Marrongroepen plaats vindt, met inbegrip van een mechanisme voor klachtenbehandeling; en
4. Institutionele maatregelen voorstellen voor het screenen van de Projectimpacts op Inheemse Volkeren en Marrons, en voor het evalueren van deze effecten, inclusief de voorbereiding van een Inheemse en Marron Volkeren Plan (*Indigenous and Tribal Peoples Plan* -ITPPs) voor specifieke locaties en / of activiteiten.

**Verwachte Project-gerelateerde effecten in verband met Wereldbank OP 4.10:** Naar verwachting zullen PC1-activiteiten, overeenkomstig OP 4.10:

- Geen invloed op hebben op gronden of hulpbronnen van Inheemse Volkeren en Marrons
- Mogelijk vragen genereren met betrekking tot ondersteuning om het juridische, regelgevende en institutionele kader voor mijnbouw te verbeteren.

Verwacht wordt dat PC2-activiteiten:

- Niet leiden tot het verlies van traditionele gronden en materiële en immateriële hulpbronnen van Inheemse Volkeren en Marrons.
- Mogelijke impacts hebben die beperkt zijn tot kleinschalig gebruik of verwerving van land, inclusief hulpbronnen, dat deel uitmaakt van het traditionele woon- en gebruiksgebied van Inheemse Volkeren en Marrons..
- Een positief effect kunnen hebben op Inheemse en Marron Kleine en Middelgrote Ondernemingen (KMO's); een direct effect indien deze MKB-bedrijven begunstigen van matching-grant ondersteuning zijn, of indirect, indien projectactiviteiten leiden tot een vergrote vraag naar producten van Inheemse en Marron-ondernemers in de agribusiness- en toerismesectoren.

In het project zijn procedures opgenomen om ervoor te zorgen dat nadelige effecten worden gemitigeerd en mogelijke verliezen worden gecompenseerd. Als compensatie in natura niet haalbaar of wenselijk is, zal contante compensatie overwogen worden.

**OP 4.10 vereiste procedures en projectontwerp:** Dit ITPPF-raamwerk beschrijft procedures om te garanderen dat alle met OP 4.10 samenhangende effecten naar behoren worden aangepakt. Als zodanig geeft deze ITPPF de verplichtingen weer die wettelijk verbonden zijn aan Wereldbank financiering. In het kader van PC1 zal er, alle verleende technische bijstand in verband met het wettelijke, regelgevende en institutionele kader van de mijnsector zal de hier geschetste beginselen in overweging nemen. De specifieke PC2-projectactiviteiten zullen pas tijdens de projectimplementatiefase gedefinieerd worden. Zodra de specifieke investeringen en hun locaties bekend zijn, zal er een ITPP ontwikkeld worden voor de specifieke activiteiten waarvoor dit van toepassing is. Een ITPP bevat informatie over: (a) de specifieke effecten die niet kunnen worden vermeden; (b) overleg en overeenkomsten met getroffen gemeenschappen; en (c) procedures om effecten te verzachten, zoals het nemen van specifieke cultureel passende maatregelen om in bepaalde gebieden te werken. Voor activiteiten waar ontwikkeling van een ITPP van toepassing is, zal dit praktische plan worden uitgewerkt als onderdeel van het technische ontwerp. Elke ITPP die ontwikkeld wordt zal met de betreffende gemeenschap besproken worden, en aan de hand van opmerkingen uit de gemeenschap aangepast worden. Elke ITPP die ontwikkeld wordt, zal geïmplementeerd worden tijdens de uitvoering van de werkzaamheden, onder toezicht van de PIU. De PIU zal bijgestaan worden door aanvullende technische ondersteuning die in het kader van het Project gefinancierd moet worden. Technische capaciteit, financiële middelen en procedures zijn in het project opgenomen om ervoor te zorgen dat de implementatie voldoet aan de OP 4.10-doelstellingen.

**De klachtenprocedure (GRM):** naast de hierboven beschreven voorzorgsmaatregelen voorziet het project in het opzetten van een klachtenprocedure. Het doel van deze klachtenprocedure is ervoor te zorgen dat elke persoon die zich benadeeld voelt door de Project activiteiten, zijn of haar klacht kan overbrengen. Klachtenbehandeling zal plaatsvinden binnen het Ministerie van NH (PC1) en het Ministerie van HI & T (PC2), maar specificaties zoals operationele kenmerken zijn nog niet gedefinieerd. Het is wettelijk vereist dat klachtenprocedure goed toegankelijk is en dat klachten snel behandeld worden.

**Institutionele verantwoordelijkheden voor naleving van de vereisten van OP 4.10:** De ministeries van NH en HI & T zijn, overeenkomstig de wettelijke verplichtingen verbonden aan de Wereldbank financieringsovereenkomst, verantwoordelijk voor Projectimplementatie. De Projectimplementatie zal geschieden in overeenstemming met de bepalingen van deze ITPPF en toekomstige ITPPs, indien van toepassing. Beide ministeries zullen ondersteund worden door een PIU, die verantwoordelijk is voor de uitvoering van beleidsinstrumenten en procedures in verband met OP 4.10.

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## 3 INTRODUCTION

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### 3.1 PROJECT BACKGROUND.

The Government of Suriname's engagement with the World Bank is grounded in the Country Partnership Strategy (CPS) between the Government of Suriname and the Bank established in 2015. This CPS has the overarching goal of promoting sustainable, inclusive, and diversified growth in Suriname, including through an area of engagement focusing on creating a conducive environment for private sector development. Underpinning the CPS is a focus on strengthening environmental and social standards and impact management.

The Suriname Competitiveness and Sector Diversification Project (SCSD) is one specific lending operation being prepared under this CPS. The development objective of SCSD is to support sector governance improvements and increase competitiveness in targeted industries in Suriname, through three project components:

- Component 1: Strengthening the mining sector governance, transparency, accountability, and administration.
- Component 2: Investing in SMEs and value chains in targeted emerging industries.
- Component 3: Project management and evaluation

These components are explained in greater detail in Chapter 2.

The Project has been categorized as Category B, which means that activities are not expected to produce significant adverse environmental or social risks and/or impacts that are diverse, irreversible, or unprecedented. The GoS is also preparing an Environmental and Social Management Framework (ESMF) to identify all the positive and negative effects of the Project, in compliance with Bank safeguards policies.

### 3.2 WORLD BANK SAFEGUARD POLICIES

The proposed project must comply with World Bank Operational Policies for bank-funded projects. Because the SCSD Project activities partly take place in, and overlap with, the customary living and user areas of Indigenous Peoples and Maroons, Operational Policy (OP) 4.10 Indigenous Peoples has been triggered. The Bank's Policy 4.10 contributes to the Bank's mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous Peoples.

To ensure that the SCSD Project complies with the World Bank Operational Policy on Indigenous Peoples (OP 4.10), the preparation of safeguards instruments during the project preparation stage is necessary.



These safeguard instruments include a Rapid Social Assessment (RSA) and an Indigenous and Tribal Peoples Planning Framework (ITPPF).

This ITPPF for the SCSD Project is designed to establish objectives and principles, organizational arrangements and funding mechanisms for impacts, in line with OP 4.10 requirements.

### 3.3 INDIGENOUS PEOPLES AND MAROONS

The World Bank uses the term “Indigenous Peoples” in a generic sense to refer to

“a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories<sup>7</sup>
- c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- d) an indigenous language, often different from the official language of the country or region”

(World Bank, Operational Manual - OP 4.10 - Indigenous Peoples)

In dialogue with the World Bank, this safeguard report is named “Indigenous *and Tribal Peoples* Planning Framework”, to explicitly acknowledge its applicability to both Indigenous Peoples *and* Maroons, who are tribal people of African descent. Throughout this report, references to “Indigenous Peoples and Maroons” will explicitly indicate both groups, while the term “Indigenous Peoples” is used to refer to the native, original inhabitants of Suriname.

### 3.4 REPORT OUTLINE

The remainder of this report is structured as follows.

Chapter 2: Project description, including a summary of findings from the RSA regarding Indigenous and Maroon) populations.

Chapter 3: Objectives of an Indigenous and Tribal Peoples Planning Framework

Chapter 4: Potential project impacts on Indigenous Peoples and Maroons

Chapter 5: Legal and policy framework.

Chapter 6: Institutional arrangements for screening project impacts on Indigenous and Maroon populations and evaluating their effects

Chapter 7: Plan for carrying out additional social assessments and ITPPs during project implementation of specific programs, subprojects and/or activities affecting these populations.

Chapter 8: Implementation and funding arrangements

Chapter 9: Meaningful engagement, including a framework for ensuring free, prior informed consultations with affected indigenous and Maroon populations during project implementation; and grievance redress mechanism.



## 4 PROJECT DESCRIPTION

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The SCSD project has strong and compelling links with Suriname’s National Development Plan (*Nationaal Ontwikkelings Plan* - NOP) 2017-2021, which outlines the development trajectory for Suriname for upcoming years. The NDP presents a vision and a strategy aimed at establishing “a diversified Surinamese economy, which is competitive in the competitive global market, has significantly more sustainable development, generates employment and equality, and keeps the environment liveable.” The development vision in the NOP is organized in four pillars. Particularly close alignment with the SCSD Project activities, as outlined below, is observed for activities under Pillar 1 - *Strengthening Development Capacity* – and Pillar 2 - *Economic Growth and Diversification*. This ITPPF further aligns the project with the NOP by ensuring that the sector development and growth objectives fully incorporate sustainability and inclusivity goals especially regarding vulnerable populations in the country. These links are described in greater detail in the RSA.

### 4.1 PROJECT DESCRIPTION COMPONENT 1: STRENGTHENING THE MINING SECTOR GOVERNANCE, TRANSPARENCY, ACCOUNTABILITY, AND ADMINISTRATION

This Project Component aims to support improvements to the legal, regulatory, and institutional framework governing mining in Suriname. The purpose is to align Suriname’s framework to international best practice, and to provide its institutions with knowledge and tools to carry out their mandated functions. Foreseen activities under Component 1 include:

(a) **Strengthening the legal, regulatory, and institutional frameworks** governing the mining sector through support towards the revision of relevant legislation and regulations and the establishment of the Minerals Institute, which will integrate and strengthen mining cadaster, geological data management, and mining inspectorate functions. This includes defining a roadmap and implementing institutional reforms; supporting the development of required legal and regulatory frameworks; and supporting the establishment and operationalization of the Minerals Institute, including the collection of production and export statistics and setting up a Minerals Statistics Database.

(b) **Sector administration capacity building** to assist the GOS, in particular staff from the Ministry of Natural Resources, the Minerals Institute, and other relevant ministries including the Ministry of Finance, to build the required technical skills and managerial capabilities to regulate and monitor the mining sector.

(c) **Strengthening revenue assessment, collection, and forecasting**, including through support to EITI and setting up systems to improve revenue collection in a transparent and accountable manner. This includes the development of documentation systems and standardized procedures for the submission and analysis of monitoring reports, in conformity with the Mining Decree and specific investment agreement commitments, as well as for the calculation of mining royalties and establishment of export controls.

(d) **Enhancing environmental, health, and social performance** of the mining sector, including:

- *Preparing a Strategic Environmental and Social Assessment (SESA)* covering mining. The SESA will entail a comprehensive sector-wide examination of potential impacts, both positive and negative, of future development in the mining sector and identify gaps in regulations, institutional capacity, and public consultation mechanisms that can be strengthened. It will be conducted as a priority activity early on in project implementation.
- *Capacity support to enhance social and environmental impact management*, including technical assistance for the implementation of select reforms recommended by the SESA. This support will be consistent with international standards such as the World Bank Group's Environmental, Health, and Safety Guidelines and REDD+ guidelines, and will promote improved mining practices that aim to reduce impacts on the forest, reduce the sector's vulnerability to climate change risks, help mitigate climate change - through improved water efficiency and substitution of inputs/enhanced energy efficiency to reduce GHG emissions in existing and future mining operations - and improve indigenous and tribal community engagement.

(e) **Building independent oversight capacity and stakeholder consultation mechanisms**, by providing support to non-state actors involved in the EITI process in Suriname (including indigenous and tribal peoples' representatives, non-governmental organizations, community-based organizations, technical experts, and other civil society representatives) to strengthen their participation in increasing transparency and disclosure in the mining industry.

## 4.2 PROJECT DESCRIPTION COMPONENT 2: SUPPORTING VALUE CHAINS AND SMES IN AGRIBUSINESS AND TOURISM

This Project Component will address constraints and strengthen targeted value chains, with a specific focus on promoting growth and diversification within agribusiness, tourism and other emerging sectors in Suriname. Foreseen activities under Component 1 include:

- SME support fund, financing business development services and matching grants for equipment or other firm-level investments.
  - This fund would provide direct support to SMEs that apply and are competitively selected. SMEs engaged in agribusiness or tourism activities will be targeted, but those engaged in other sectors would not be excluded for technical design reasons. The support would include business development services, to help firms improve their business plans and identify constraints in their operations; as well as co-financing for firm-level investments. Funds will also be available to groups of firms that apply as a value chain group, for shared assets to increase value chain competitiveness. These investments could illustratively include equipment for quality upgrading; small-scale on-site storage facility to enable

increased purchases from farmers/suppliers; upgrades to fishing vessels to improve quality storage capacity; website upgrades to improve marketing; upgrades to boat vessels for river cruises; etc. Support is expected to average \$50k per SME, through business development services or matching grant co-investments targeting about 160 beneficiaries, and average \$250k for group projects, targeting about ten to twelve value chain groups.

- Support for investment climate and institutional reforms.
  - This activity would finance technical assistance and capacity support for regulatory and institutional reforms to improve the business environment for tourism, agribusiness, and private sector growth across sectors of the economy.

### 4.3 PROJECT MANAGEMENT AND EVALUATION

This Project Component will finance project implementation unit staff to strengthen GoS capacity to implement the project. This capacity support will include social and environmental specialists to ensure compliance with safeguards instruments established for the project.

## 4.4 AREA OF INFLUENCE

### 4.4.1 Project area

Under Project Component 1, activities support the legal, regulatory, institutional and governance environment for the mining sector. Mining activities in Suriname generally most of the southern region of the country, excluding the coastal plains. This area is part of the precambrian Guiana Shield area, and in Suriname referred to as “The Interior”. Most of Suriname’s mineral resources are found here. The interior is a mountainous region; the highest point is the Juliana-top at 1230 m above sea level.

Suriname’s interior roughly covers the districts of Sipaliwini, Brokopondo and Para (Figure 1). It is mostly covered with dense tropical rainforests, which form part of the Amazon Biome. This ecoregion houses at least 10% of the world’s known biodiversity (WWF 2017). With more than 85% of forest cover and historical rates of deforestation below 0.1%, Suriname is classified as a High Forest cover, low Deforestation rate (HFLD) country (Rahm et al. 2015). Mining –particularly gold mining – is the single largest threat to conservation of Suriname’s forests. Even though gold mining does not account for a large absolute amount of deforestation, between 2000 and 2015, on a national level, it accounted for 73% of total deforestation (59,554 ha) and 95.5% of mining induced deforestation (NIMOS et al, 2017). Other causes of deforestation include forestry and, to a very limited extent, agriculture.

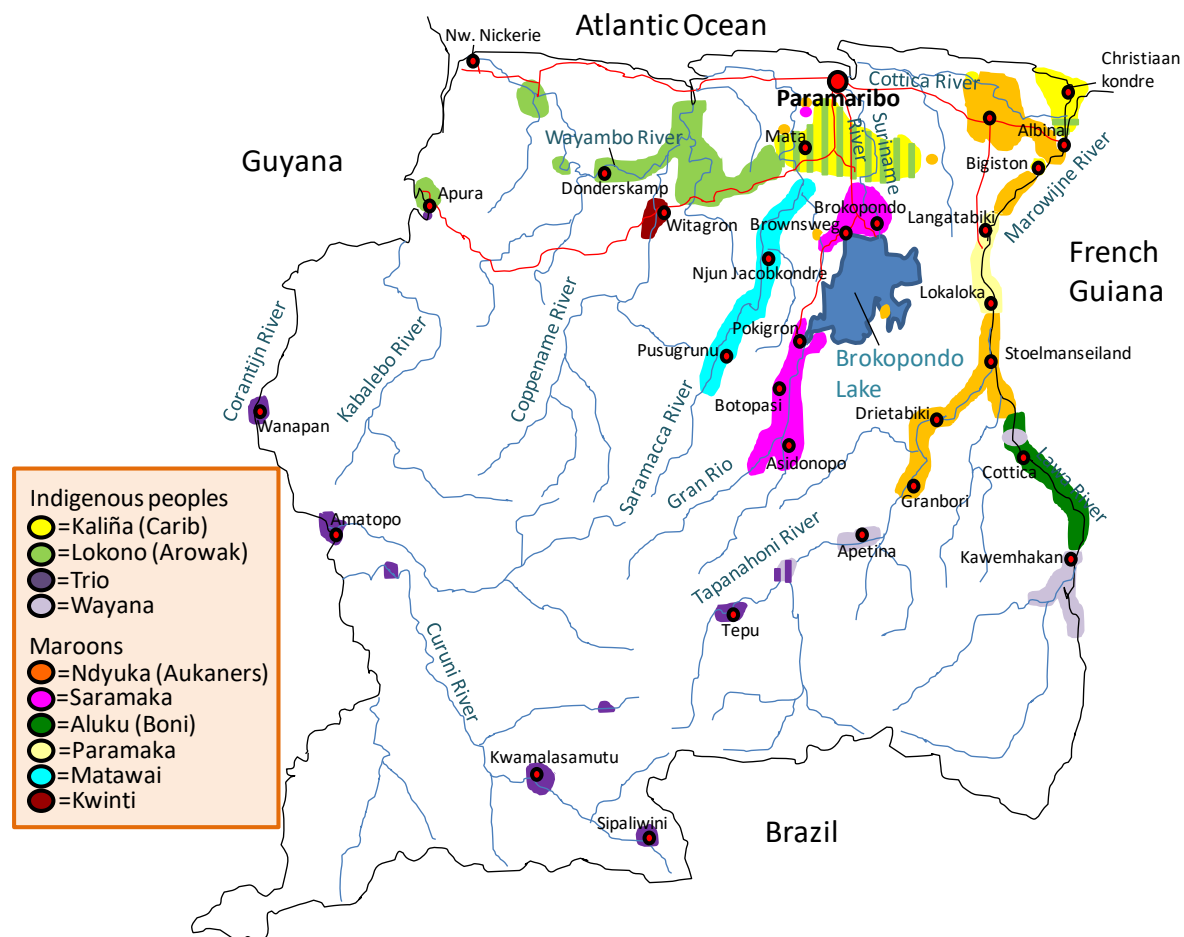
For activities under Project Component 2, no specific area will be defined, as project investments in targeted SMEs and shared value chain assets will be selected competitively as subprojects during implementation . Given current concentrations of Agribusiness development, however, it is likely that much of the project activities will focus on the coastal districts of Nickerie, Coronie, Saramacca,

Paramaribo, Commwijn and Marowijne (Figure 1). This is also where the majority of general SME commercial activities occur. In addition, it is expected that entrepreneurs from Para and Brokopondo districts, which host popular tourism destinations, benefit from the planned investment program.

#### 4.4.2 Indigenous and Maroon traditional living areas

Suriname's population 575,700 (ABS, 2018) is concentrated in the coastal districts, primarily in Paramaribo and Wanica. The interior districts (Sipaliwini, Brokopondo, Para) as well as the rural areas of several other districts provide a home and livelihood to Indigenous and Maroon communities. A map of the approximate living areas of Indigenous peoples and Maroons in Suriname appears in Figure 3.

Figure 2. Map of Suriname with the approximate living areas of the various Indigenous and Maroon groups and some of the main communities.



Note: This map depicts the approximate areas where people live, not the user areas or ancestral territories. Sources: Suriname planatlas 1988; ACT map of southwest Suriname 2001.

#### 4.4.3 Customary rules and regulations on land and resource use among Indigenous Peoples and Maroons

Between different Indigenous and Maroon groups, as well as between different clans and families within this groups, there is generally a clear understanding of what land belongs to whom, and what are the rules and regulations for accessing and using this land and related resources<sup>2</sup>. Indigenous and Maroon groups also abide by traditional rules for natural resources management, for example with regard to what types of animals may or may not be hunted in certain times of the year. Such customary law rules are well-known and generally respected by the members of the various Indigenous and Maroon societies.

Among the Maroons, access to land is arranged at the clan (*lo/lö*) level. Clan land is parcelled out to its constituent *bee* (Literally: people from one belly) or family groups, who allocate pieces to their various members. Though the village captain supervises land use, individual members have rights to its resources including agricultural land, game, fish, and forest products. These rights are temporary and land returns to the *bee* upon the death or departure of the user. In addition to matrilineal birth rights, one might earn certain rights of use from patrilineal kinship relations, from traditional marriage, and from settlement.

The members of a certain *lo* are allowed to hunt or collect forest products for own consumption in the area claimed by another *lo*, but official permission is required if larger quantities are extracted or more intensive land-use (e.g. gold mining) is taking place. Small pieces of land for (temporary) outside visitors are usually readily granted after a village meeting. Decisions about larger-scale mining and logging, either by tribal members or by outsiders, require more extensive *krutu* (community meeting) sessions at the village or even tribal level.

As compared to the rather strict, hierarchical land tenure system among the Maroons, arrangements concerning access and property rights to land among Indigenous peoples are much more flexible. Neither the southern (Trio and Wayana) nor the lowland Indigenous peoples (Kaliña and Lokono) seem to draw sharp boundaries between their respective areas (ACT, 2010). Members of the different groups travel, live, and use resources in one another's area.

The RSA provides a more extensive discussion of customary land and resource rights and use.

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<sup>2</sup> See for a more detailed review of customary land and resource rights: Heemskerk, M. (2005). Rights to Land & Resources for Indigenous Peoples & Maroons in Suriname, Amazon Conservation Team, Paramaribo, Suriname

## 4.5 DEMOGRAPHICS AND POPULATION

### 4.5.1 Demographics

Suriname's population is concentrated in the coastal districts (Pop: 463,964, 2012 census), primarily in Paramaribo (Pop: 240,924) and Wanica (Pop: 118,222). The 2012 national census counted 117,567 individuals who self-identified as Maroons and 20,344 persons who self-identified as Indigenous, representing respectively 21.7 percent and 3.8 percent of the total Suriname populations (See RSA). National statistics<sup>3</sup> suggest that roughly half of these people live in Maroon and Indigenous communities in their traditional territories, while the remaining half live elsewhere in Suriname, mostly in the urban centres of Paramaribo, Wanica and Marowijne districts.

Approximately 47 larger and smaller highland Indigenous communities, and some 170-190 Maroon traditional villages and settlements (*kampus*) are located in the Aol (Table 2). According to the national census, 10618 Indigenous persons and 46565 Maroons live in the interior districts of Sipaliwini, Brokopondo and Para, representing respectively 13.7 percent (Indigenous) and 59.9 percent (Maroons) of the population of these interior districts. In the vast interior district of Sipaliwini, 90.5 percent of the population self-identified as Indigenous peoples and Maroons. In the coastal districts, 2.1 percent of persons self-identified as Indigenous and 15.3 percent as Maroons.

### 4.5.2 Population description

Despite increased acculturation and integration into the national economy, and access to Suriname elementary school education in or near the largest share of Indigenous and Maroon communities (coast and interior), the inhabitants of these communities continue to live a largely traditional lifestyle. Traditional kinship structures, cultural practices and traditional religious beliefs -such as libation and other rituals to work with supernatural forces- and customary rules and regulations with regard to resource and property rights, continue to play an important role. This is true for villages that refer to themselves as Christian communities, as well as for the non-Christian communities (literally referred to as "pagan communities")<sup>4</sup>. In the Southern Indigenous (Trio and Wayana) communities, US missionary activity has had a strongly repressive impact on traditional culture, and traditional dance, songs, stories and other ancient cultural traditions, particularly those involving shamanism, are no longer openly practiced<sup>5</sup>.

Traditional political structures govern the behaviour and position of individuals, families, clans, communities and tribal groups. Traditional authorities play crucial roles in the traditional communities; political and administrative (e.g. governance), socio-cultural, juridical (enforcing customary law and order)

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<sup>3</sup> ABS website, national census data (2012)

<sup>4</sup> See, for example, the Cultural Resources Survey produced as part of the Newmont Sabajo ESIA (Social Solutions, 2017); URL: <https://www.newmont.com/operations-and-projects/south-america/merian-suriname/reports/default.aspx>

<sup>5</sup> Detailed descriptions of the Wayana Indigenous Peoples can be found in Heemskerk, Delvoye, Noordam and Teunissen, 2007, and of the Trio Indigenous Peoples in Heemskerk and Delvoye, 2007



and as land stewards and managers. In addition, the traditional authorities are instrumental in contact of the communities and tribal groups as a whole with the Central Government and other outsiders. Traditional authorities receive a public honorarium and are accountable to the national government. The form of this accountability, however, is not legally defined. The RSA provides more detail on the relationship between national, district and traditional governance structures.

The inhabitants of Maroon communities and highland Indigenous communities (Wayana and Trio) still predominantly speak their traditional Indigenous and Maroon languages. In the coastal Indigenous groups (Kaliña and Lokono) communities, it is more common for people to speak either Sranantongo (national Creole) or Dutch.

On a national level, 26.2 percent of the population lives in poverty<sup>6</sup> (IADB, 2018). Poverty is not evenly distributed across the country though, but has a clear bias towards the rural areas where most Indigenous Peoples and Maroons live. In the interior, for instance, poverty affects 47.9% of the population (ibid.).

Especially in the interior districts of Sipaliwini and Brokopondo, use of forest resources—including minerals—is still the main and virtually only source of subsistence and cash income. In Brokopondo and east Sipaliwini districts (upper Marowijne, Tapanahoni and Lawa), small-scale gold mining has become a primary source of household income and the motor behind community economic development, especially among the Maroons. While providing sustenance to many low-income families, small-scale gold mining has also resulted in widespread pollution and internal conflicts.

Earlier studies have shown that elementary school education in Indigenous and Maroon communities suffers from large numbers of dropouts, high repetition rates, and high absence rates, resulting in low average educational achievement (Heemskerk and Duijves, 2013). Particularly in Sipaliwini district, access to middle-school is very limited, unless children move to Paramaribo. Access to public services also is suboptimal, with most communities lacking a reliable source of electricity and drinking water. Health services in the interior communities provided by the Medical Mission Primary health Care Suriname, locally known as “MZ”, a foundation that is financed by the Ministry of Health with additional support provided by donors. In the coastal communities, the Regional Health Service (RGD) provides public health care.

The RSA provides a much more extensive description of Maroon and Indigenous peoples, including information on access to education and health care, traditional authority structures, and livelihood activities.

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<sup>6</sup> Result of a 12-month survey (2016-17) throughout Suriname, which measured different dimensions of living conditions. For more information see: <https://blogs.iadb.org/caribbean-dev-trends/2018/08/22/9006/>

Table 2. Number of Indigenous and Maroon communities in the AoI

	Nr of communities	Location
Kaliña (Carib)	14	Coastal districts, mainly Apoera and surroundings, Wayambo, Para, and Lower Marowijne
Lokono (Arowak)	15	
Mixed Kaliña-Lokono	2	
Wayana	5	Southeast Suriname, along the Lawa and Tapanahoni Rivers
Trio	10	South Suriname and Tapanahoni River; one community (Sandlanding) in the northwest.
Mixed Trio-Wayana	1	Tapanahoni River, South section
<b>Total indigenous</b>	<b>47 villages and camps</b>	
Saamaka	70-80	Upper-Suriname River; District Brokopondo
Ndyuka (Aukaans)	70-80	Mostly Tapanahoni, Lawa, Marowijne and Cottica Rivers; a selected few in Brokopondo district.
Paamaka	11	Marowijne River
Kwinti	2	Coppename River
Matawai	17	Upper-Saramaka River
Aluku (Boni)	1 (in Suriname; more in Fr. Guyana)	Lawa River
<b>Total Maroons</b>	<b>~ 170-190 villages and camps</b>	

Sources: Suriname Plan Atlas, 1988; Kambel, 2006; Heemskerk and Delvoye, 2007; Heemskerk, Delvoye, Noordam and Teunissen, 2007.

## 5 OBJECTIVES OF THE INDIGENOUS AND TRIBAL PEOPLES PLANNING FRAMEWORK

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In order to be eligible for World Bank funding, safeguards for the protection of Indigenous and Maroon Peoples' rights, and for their fair and transparent consultation and participation in the Project must be in place. In this context, the GoS has prepared this Indigenous and Tribal Peoples Planning Framework (ITPPF), with social development capacity support provided by the World Bank. This section described the general objectives and principles of an ITPPF.

### 5.1 OBJECTIVES

The ITPPF sets out the measures through which GoS as the borrower of World Bank lending resources will ensure that (a) Indigenous Peoples and Maroons affected by the project receive culturally appropriate social and economic benefits; and that (b) when potential adverse effects on Indigenous Peoples and Maroons are identified, those adverse effects are avoided, minimized, mitigated, or compensated for. Building on the Rapid Social Assessment (RSA) and interviews with key stakeholders, and in consultations with Indigenous and Maroon representatives, the specific aims of the ITPPF are to:

1. Identify potential positive and adverse effects of the SCSD project on Indigenous and Maroon populations;
2. Propose measures to avoid, minimize, mitigate, or compensate adverse Project impacts on Indigenous Peoples and Maroons;
3. Present a framework for ensuring free, prior informed consultations with affected Indigenous and Maroon populations during project implementation, including a grievance redress mechanism; and
4. Propose institutional arrangements for screening the project impacts on indigenous and Maroon populations and evaluating their effects, including the preparation of Indigenous Peoples Plans for specific locations and/or activities.

### 5.2 ITPPF PRINCIPLES

ITPPF Principles are grounded in WB OP 4.10. General ITPPF principles are:

- The ITPPF departs from the principle that the development process must fully respect the dignity, human rights, economies, and cultures of Indigenous Peoples and Maroons;
- Adverse impacts on Indigenous Peoples and Maroons will be avoided whenever possible. Where impact is unavoidable, management measures will be identified to minimize adverse impacts and maximize positive project benefits;
- Project activities must avoid violation of the customary rights of Indigenous Peoples and Maroons, both individual and collective, pertaining to lands or territories that they traditionally

owned, or customarily used or occupied, and where access to natural resources is vital to the sustainability of their cultures and livelihoods;

- Physical relocation of Indigenous Peoples and Maroons is to be avoided.
- Lack of legally recognized rights to lands and territories that Indigenous Peoples and Maroons have traditionally owned or customarily used or occupied will not hinder eligibility for compensation and livelihood restoration support in cases of loss of non-land assets and land
- Indigenous Peoples and Maroons will be meaningfully consulted
- When livelihoods are affected, Indigenous Peoples and Maroons will be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

## 6 LEGAL FRAMEWORK

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This section summarizes existing Suriname regulations for engagement with Indigenous and Maroon peoples. A more extensive discussion of laws and regulations applicable to Indigenous Peoples and Maroons is provided in the RSA. This section also compares the Suriname legal framework to international standards, notably World Bank OP 4.10 on Indigenous peoples, to identify areas where additional measures must be taken to avoid and/or mitigate adverse social impacts of the SCSD Project, and ensure equitable access to project benefits for Indigenous Peoples and Maroons.

### 6.1 NATIONAL LEGAL FRAMEWORK WITH REGARD TO INDIGENOUS PEOPLES AND MAROONS

#### 6.1.1 National laws that govern public consultation and FPIC

There is currently no legislative basis for public consultations in the context of development projects and the national legal framework does not require the application of Free Prior and Informed Consent (FPIC) in consultations with indigenous Peoples and Maroons, or with other vulnerable populations. In summary:

- A draft Environmental Law, which does include guidelines for the assessment of environmental (including social) impacts, has been awaiting approval by parliament for the past 16 years<sup>7</sup>. A more recent Implementation Regulation (*Uitvoeringsbesluit*) to the draft Environmental law prepared by NIMOS stipulates that FPIC must be followed in case of consultations with Indigenous Peoples and Maroons.
- The National Institute for Environment and Development (NIMOS) published Environmental Assessment (EA) Guidelines (2005, updated 2009) and a guidance note (2017), which emphasizes the importance of public participation. These guidelines are expected to be given legal effect shortly after promulgation of the Environmental Act.
- The EA guidelines are already being applied by NIMOS as part of the project permitting process and project developers are expected to comply with the spirit of the guidelines.
- NIMOS does not have specific guidelines for projects in Indigenous and Maroon traditional areas (NIMOS, conversations undertaken in the preparation of this framework, October 1, 2018).
- By law, local government is the main administrative body to represent the local interests of the inhabitants of the various districts, including Indigenous Peoples and Maroons, at the national level.

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<sup>7</sup> An Environmental Framework Act was drafted by NIMOS in 2002, and is being prepared for submission to Parliament later this year (2018). After acceptance by the Council of Ministers and the State Council, the bill will be considered by Parliament for promulgation (Toppin-Allahar and Del Prado, 2010).

### 6.1.2 National legislation on the status of Indigenous peoples and Maroons, and their traditional authority structures.

Table 5 summarizes national legislation relevant to the status of Indigenous Peoples and Maroons. Particular attention is paid to juridical recognition of tribal identities, collective land regularization, and consultation and participation processes. A much more extensive discussion and interpretation of the legal framework is presented in the RSA.

*Table 3. Suriname legislation relevant to the status and rights of Indigenous Peoples and Maroons<sup>8</sup>*

Constitution of the Republic of Suriname ( <i>Grondwet van de Republiek Suriname</i> ) S.B. 1987 no.116 last amended by S.B. 1992 no.38.	The Constitution makes no reference to Indigenous Peoples and Maroons.  The domain principle in the Constitution declares all natural resources property of the state ( <i>domeinbeginsel; dominium eminens</i> ) (Art. 41)
L-Decrees, specifically Decree Principles of Land Policy ( <i>Decreet Beginselen Grondbeleid</i> ). S.B. 1982 no. 10, S.B. 1983 no. 103, as last amended by S.B. 2003 no. 8.	Art. 1 presents a founding principle of Suriname land policy, namely that “All land to which others have not proven their right of ownership is domain of the State.”
Forest Management Act of 1992 ( <i>Wet Bosbeheer</i> ), S.B. 1992, no. 80.	Art. 41, subsection 1: <ul style="list-style-type: none"> <li>a. The customary law rights of the tribal inhabitants of the interior, with respect to their villages and settlements as well as their agricultural plots, will be respected as much as possible.</li> <li>b. In the case of violations of the customary law rights as mentioned under a., and appeal may be made to the President ...</li> </ul> Art. 41, subsection 2 proposes the allocation of community forest concessions.
The Nature Conservation Decree ( <i>Natuurbeschermingsbesluit</i> ), S.B. 1986	“Insofar as villages and settlements of the tribal people from the interior are situated in the areas designated as nature reserves, the rights acquired by force thereof shall be respected”.  Traditional customs may be followed as long as they do not contradict other national laws, such as the national hunting law.

<sup>8</sup> Much more detailed discussions of the national legal framework with regard to Indigenous and Maroon peoples’ rights, can be found in Kambel and MacKay, 1992, and in International Business Publications, USA, 2009

Note: Does not apply to the nature reserves established prior to 1986	
The Nature Conservation Resolution ( <i>Natuurbeschermings-resolutie</i> ), 1998	<p>“Insofar as villages and settlements of the tribal people from the interior are situated in the areas designated by this State Decree as nature reserves, the rights acquired by force thereof shall be respected, unless:</p> <p>a) The general interest or the national goal of the reserve that has been established is impaired,</p> <p>a) Determined otherwise”</p>
Mining Code ( <i>Decreet Mijnbouw</i> ), S.B. 1986 no. 28)	<p>Upon applying for the right of exploration, a list must be made of the villages in and in the vicinity of the plot applied for (Art. 25.2).</p> <p>“[E]ntitled parties and third interested parties of plots” (i.e. Indigenous Peoples and Maroons) must allow the concession holder to execute his activities on the designated areas (Art. 47).</p> <p>The holder of a mining right shall give “reasonable consideration” to the interests of entitled parties and third interested parties and he shall implement the activities “causing as little damage as possible” to those interests (Art. 48).</p>
State Decree on the Job Descriptions of Departments ( <i>Staatsbesluit Taakomschrijving Departementen</i> ), S.B 1991 no. 58 as amended by S.B 2005 no. 94	<p>Assigns the Ministry of Regional Development the task of “maintaining relationships of the central Government with dignitaries and inhabitants of the interior”.</p> <p>The legal framework does not define the rights, function and obligations of traditional authorities.</p>
Draft law Protection Communities and Living Environment ( <i>Concept Wet Bescherming Woon- en Leefgebieden</i> ), Proposed modification of Decree Principles of Land Policy Decree (S.B. 1982 no. 10, as last amended by S.B. 2003 no. 8).	<p>Once this law is implemented, no new tenure rights may be granted on government land that is part of Indigenous and Maroon residency and living areas, and no mining or other concessions will be granted overlapping with these areas. Existing concessions in the named areas will be withdrawn, unless economic activities are already taking place in these areas.</p> <p>Development projects in these areas only may be executed after an FPIC procedure and community consent.</p> <p>This draft law has not yet been promulgated.</p>

## 6.2 WORLD BANK OP 4.10 INDIGENOUS PEOPLES

World Bank OP 4.10 defines safeguard guidelines concerning Indigenous Peoples, a term that includes tribal peoples such as Maroons. This standard is largely comparable with International Finance Corporation (IFC) Performance Standard 7 on Indigenous Peoples, which also is used as a guideline by the Inter-American Development Bank (IADB).

Through OP 4.10, the World Bank recognizes that the identities and cultures of Indigenous Peoples are inextricably linked to the lands on which they live and the natural resources on which they depend. OP 4.10 also acknowledges that Bank-financed SCSD project-related interventions, particularly those that occur in or near Indigenous and Maroon communities, can have adverse impacts on these communities, and on individuals from these groups that use the land intended for a project. This risk is enhanced by the fact that Indigenous Peoples and Maroons, as social groups with identities that are distinct from dominant groups in the Suriname national society, are among the most marginalized and vulnerable segments of the population. OP 4.10 emphasizes that efforts should be made to ensure that:

- (a) Indigenous Peoples (and Maroons) affected by the project receive culturally appropriate social and economic benefits; and
- (b) When potential adverse effects on Indigenous Peoples (and Maroons) are identified, those adverse effects are avoided, minimized, mitigated, or compensated for.

Any project proposed for Bank financing that affects Indigenous Peoples (and Maroons) requires step-wise safeguard procedures and deliverables as listed in Table 4:

OP 4.10 recommends that particular attention is paid to gender, intergenerational issues and possible additional sources of vulnerability within Indigenous and Maroon communities. These specific guidelines will be recorded in Indigenous and Tribal Peoples' Plans for the different sub-components.

In circumstances where Project interventions require consultation with, and impact mitigation for, Indigenous Peoples and Maroons, developers need to identify and describe relevant government measures to this extent. Where government measures for consultation of Indigenous and Maroon Peoples and strategies for impact mitigation do not meet relevant requirements, the project must prepare a supplemental Indigenous and Tribal Peoples' Plan (ITPP). Together with the document prepared by the responsible government agency, this ITPP will address the general requirements of WB OP 4.10 and the specific requirements for the implementation of Project interventions in areas that Indigenous and Maroon peoples are present in and/or have collective attachment to.



Table 4. Procedures and deliverables required for compliance with WB OP 4.10 on indigenous Peoples

	World Bank OP 4.10 procedure	Application to the SCSD Project
a	Screening by the Bank to identify whether Indigenous Peoples are present in, or have collective attachment to, the project area	Screening showed that Indigenous and Maroon peoples are present in <i>and</i> have collective attachment to the project areas for Project Components 1 and 2.
b	A social assessment by the borrower	The RSA will serve this purpose.
c	A process of free, prior, and informed consultation with the affected Indigenous Peoples' communities at each stage of the project, and particularly during project preparation, to fully identify their views and ascertain their broad community support for the project.	This is an ongoing process. Several initial consultations were held to obtain input for development of the ITPPF. Further consultation will be conducted during SCSD project preparation following the ITPPF guidelines.
d	The preparation of an Indigenous Peoples Plan or an Indigenous Peoples Planning Framework	Upon completion, the draft ITPPF will be presented to Indigenous and Maroon tribal groups, following the consultation strategy described in Chapter 9.
e	Disclosure of the draft Indigenous Peoples Plan or draft Indigenous Peoples Planning Framework	Disclosure will be performed upon completion for the draft ITPPF and any subsequent safeguard instruments. The ITPPF is a living document and any comments or concerns from consulted stakeholders will be documented and addressed accordingly.

### 6.3 COMPARISON BETWEEN LEGISLATION OF THE REPUBLIC OF SURINAME RELATING TO LAND TENURE AND WB OP 4.10

Table 7 compares Suriname legislation and World Bank OP 4.10 Indigenous Peoples and, where gaps are identified, suggests mitigation measures.

Table 5. Comparison of Suriname legislation with World Bank Operational policy 4.10 Indigenous Peoples

Issue	Suriname legislation	WB OP 4.10	Mitigation measures to address gaps
Consideration of alternatives in Project design	National legislation does not reference this issue. Nevertheless, the NIMOS EA guidelines do request consideration of alternatives during the ESIA process.	Consider feasible alternative project designs to avoid or minimize Project impacts on Indigenous Peoples (and Maroons).	Ensure meaningful consultation with Indigenous Peoples and Maroons, and other relevant stakeholders, for all Project activities taking place on living and user areas of these communities, explicitly addressing possible project impacts and mitigation measures, including alterations to Project design. Describe alternative designs in ITPPs <sup>9</sup> .
Community engagement and FPIC	Suriname legislation, notably the Mining Law and the Forest Management Act, provide minimal reference to information and consultation requirements. NIMOS ESIA guidelines and the draft Environmental Law include more extensive guidelines for community engagement and FPIC requirements, but these instruments are not (yet) legally binding.	FPIC procedures must be followed in consultations with Indigenous peoples (and Maroons) during each stage of the Project. The Bank does not proceed further with project processing if it is unable to ascertain that broad support for the development intervention exists in affected Indigenous and Maroon communities.	Develop Communication and Consultation strategy as part of the ESIA and the ITPPF. Initiate an FPIC process with indigenous Peoples and Maroons, designed through meaningful consultation with these peoples. Share regular updates on project status and project impacts. Disclose this ITPPF. Public consultation feedback will be incorporated into the ITPPF.
Vulnerable populations	Suriname legislation does not refer to vulnerable populations in the context of development projects and/or consultation processes.	Indigenous Peoples (and Maroons) warrant specific attention in development interventions because they are often marginalized ethnic groups within society. Within Indigenous (and Maroon) communities, particular attention should be paid to women, elderly and other vulnerable	Follow measures described in the ITPPF for consultation, enhancements of project benefits and mitigation of negative project impacts for indigenous Peoples and Maroons.

<sup>9</sup> Indigenous and Tribal peoples Plan

		groups to ensure that they equally benefit from, and are not adversely affected by, Project activities.	
Territorial and resource rights for indigenous Peoples and Maroons	Land and resource rights for Indigenous Peoples and Maroons are not acknowledged by law. Collective land rights may not be obtained under Suriname law.	Collective land and resource ownership of indigenous Peoples (and Maroons) is recognized as an intrinsic part of their identity, culture and well-being. Measures must be taken to avoid adverse impacts on this land and these resources. If avoidance is not feasible, such effects will be minimized, mitigated, or compensated for.	Regardless of whether Indigenous Peoples (and Maroons) have legal title to the lands on which they live and the natural resources on which they depend
Grievance mechanism	In case of disagreement with development initiatives, such as mining or logging, the law provides for grievance mechanisms. In practice, these mechanisms have not been effective. Moreover, since Indigenous and maroon groups are not legal persons, they cannot file a grievance as a collective.	Provide a grievance mechanism that is accessible locally and available throughout ITPP implementation.	Appropriate grievance mechanisms must be developed by the client, as agreed under the Project. This mechanism must involve an accessible contact person for Indigenous Peoples and Maroons, a complaints log, and procedures for dealing with stakeholder complaints.
Compensation for land and resources affected or used by Project interventions.	Legal land tenure (property or lease) is a precondition for compensation and resettlement assistance. Nevertheless, several legal instruments (e.g. mining decree, Forestry Management Act) include minimal provisions for compensation in cases of project activities on the lands of tribal communities. In practice, such compensation has often been lacking.	Loss of land and/or resources as a result of Project interventions, when unavoidable, must be compensated. Compensation must be established through meaningful consultation with Indigenous (and Maroon) communities.	Whatever the legal recognition of their occupancy and user rights, Indigenous and Maroon land users will be entitled to compensation so that they may maintain or raise their levels of well-being and income.

## 7 POTENTIAL SOCIAL IMPACTS AND RISKS

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This Indigenous and Tribal Peoples Planning framework departs from the principle that adverse social Project impacts on Indigenous Peoples and Maroons must be avoided whenever possible. If avoidance is impossible, such impacts must be minimized, mitigated and compensated. At the same time, reasonable measures must be taken to ensure that indigenous Peoples and Maroons have equitable access to Project benefits. This section describes potential Project impacts, positive and negative, and mitigation measures as identified by consulted stakeholders and revealed by the Rapid Social Assessment.

### 7.1 PROJECT COMPONENT 1: STRENGTHENING THE MINING SECTOR GOVERNANCE, TRANSPARENCY, ACCOUNTABILITY, AND ADMINISTRATION

#### 7.1.1 Long term, indirect project impacts

This component seeks to improve the legal, regulatory, and institutional framework governing the mining sector. This has the aim to improve governance of the sector and enable more sustainable and transparent future sector development. Given limited legal protection of the collective rights of Indigenous Peoples and Maroons to their traditional living and user areas under the Suriname legal system, future sector development and allocation of mining concessions could cause pollution and destruction of the customary living and user areas of Indigenous Peoples and Maroons, and result in involuntary resettlement, both physical and economic.

The Suriname legal framework includes minimal legal requirements for meaningful engagement of local communities and FPIC processes in the case of projects that affect Indigenous Peoples and Maroons (Ch. 5). In many past cases, local communities have not been consulted prior to the allocation of mining concessions overlapping with, or near their communities. World Bank standards, notably Operational Policy 4.10 on Indigenous Peoples (or similar guidelines), have not guided any of the mining activities in Indigenous and Maroon traditional territories in the past. These precedents highlight the need for proper engagement with affected Indigenous Peoples and Maroons in the case of future mining activities or sector development that may be informed or facilitated by the proposed Project.

It is recommended that the World Bank supports the GoS in legal and institutional revisions to help ensure that future mining sector development will not harm Indigenous and Maroon communities. Geospatial information on Indigenous People's areas could be included in any future geological data collection efforts to support this process. Also, the project activities related to strengthening institutional capacity to manage social and environmental impacts of future investments and sector development will support efforts aimed at mitigation of negative long-term impacts, starting with the implementation of the Strategic Environmental and Social Assessment that will identify gaps and recommend improvements in the legal and institutional environment.

In preliminary consultations with Indigenous Peoples and Maroons, their vulnerable position vis-à-vis developments in extractive industries was repetitively emphasized. These conversations revealed concern about the possible inclusion of their communities and customary user areas in future mining concessions. Indigenous and Maroon individuals also expressed doubts about the trustworthiness of official information about future mining industry developments, and about the extent to which they would be involved in meaningful consultations. The GoS will engage in transparent consultation procedures to restore this trust.

With regard to the gold mining industry, the Association of Indigenous Village Leaders Suriname (VIDS) referred to the consultation process with the Indigenous Peoples of East Para/Carolina area<sup>10</sup> by mining multinational Newmont as a positive example. Even though the consultations took place only after the exploration concession was awarded, the extensive and repetitive consultation process and transparent information provision was considered a positive experience. This process is discussed in further detail in section 9.

Main concerns, challenges and identified impacts on Indigenous and tribal peoples (ITPs) mentioned by stakeholders during preliminary consultations with regard to Project Component 1 supporting governance in the mining sector are summarized in Table 6.

## **7.2 PROJECT COMPONENT 2: VALUE CHAIN AND SME DEVELOPMENT ESPECIALLY IN AGRIBUSINESS AND TOURISM**

Development of the agribusiness and tourism sectors may cause risks and challenges, but also produce benefits, to Indigenous Peoples and Maroons in the coastal areas. The most likely beneficiaries are communities that already are involved in commercial fruits and vegetables production and tourism. For most Indigenous and Maroon communities, positive effects of agribusiness and tourism developments will most likely be limited, given the small number of communities involved and the relatively small scale of production and operation.

In the context of PC2, plans for investing in value chain assets such as individually owned or shared equipment or facilities may adversely affect Indigenous peoples and Maroons if such projects require the use of lands that are part of the customary living and user areas of these peoples. In such cases, meaningful consultation will take place to ensure that affected communities receive prior and complete information, and are engaged in discussions concerning project design. In cases where the original infrastructural design affects lands, places or resources that have a specific cultural and/or spiritual meaning, local communities will have a voice in discussions about design alternatives, and/or about appropriate ceremonies (e.g. libation, offerings) that must be performed in line with the prevalent belief system. Among different

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<sup>10</sup> Villages concerned included: Powakka, Philipusdorp (Kl. Powakka), Redi Doti, Cassipora, and Pierre Kondre Kumbasi.

Maroon groups, for example, several trees are sacred, including the Kankantrie (*Ceiba pentandra*)<sup>11</sup>. Preferably, any infrastructural works should go around these trees. If cutting a Kankantrie cannot be avoided, the contractor will discuss with the community in question on the appropriate rituals to allow for tree removal<sup>12</sup>. Indigenous and Maroon communities also will be consulted on what culturally significant places must be avoided altogether, such as burial places. As another example, many Maroon communities respect a “taboo-day” (*kina-dee*), during which hard physical work is not allowed. If infrastructural developments take place on lands where such taboos apply, the contractor will discuss with the community on how to best deal with this situation. In such cases, it is possible that a ritual may be performed to obtain permission (from the ancestors and Gods) to work on *kina-dee*, or else one may consider to take this day off, and instead work on Sundays.

If investments require the presence of outside worker crews in and around Indigenous and Maroon communities, such crews will be appropriately trained in ethical behaviour, with specific attention being paid to sexual harassment and gender-based violence. Again, discussions will be held with affected local communities to find out what level of interaction between construction workers and the community is possible and desirable. On the positive side, (nearby) value chain development may generate jobs for people from Indigenous and Maroon communities, both directly (i.e. digging trenches) and indirectly (i.e. cooking food for workers). Such jobs will most likely be mostly manual and temporary.

Another land-related concern is that, if an entrepreneur would apply for land lease with the purpose of agricultural development or tourism in an area where Indigenous Peoples and Maroons live, the Suriname legal framework offers limited legal protection of traditional living and user areas. Nevertheless, in practice, the sub directorate Land Affairs of the Ministry of Spatial Planning, Land and Forest Management (*Ruimtelijke Ordening, Grond en Bosbeheer – ROGB*), which is responsible for such land allocation, conducts field orientation visits prior to concession allocation. They also take the new not-yet-promulgated law “Protection Communities and Living Environment” into account in their final decision. For applications in or near areas where Indigenous Peoples and Maroons live, a report from the ROGB research team, a letter from the community stating “no-objection”, and positive advice from the District Commissioner are now needed. These practices provide some degree of protection of indigenous Peoples and Maroons.

In terms of risks, different stakeholders acknowledged that in some instances, traditional authorities have been persuaded by third party interests to “sell off” their land for personal gain, without consultation with their community. Such examples suggest that (written or verbal) agreement by community traditional leadership may not be sufficient to guarantee community consent and protection of the interests of

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<sup>11</sup> : The Kankantrie is a tree with very high cultural significance not only for the Maroons, but also for other Surinamese. In some Maroon communities, it is believed that one will invoke evil even by touching it or point to it.

<sup>12</sup> This is necessary so that the soul/spirit (*yeye*) can go to another host and will not become an avenging spirit, and as such cause accidents, illness and other incidents of misfortune.

Indigenous and Maroon community members. Instead, broader community consultation processes must be held to ensure true informed decision-making.

Direct project investment support to individual SMEs in the form of matching grants will likely have very limited benefits to Indigenous and Maroon agribusiness producers and tourism providers. Many of these businesses operate on a very small scale (e.g. one person or family group) and may not be able to meet co-investment requirements. Another barrier to equal access to financing is that small agribusinesses and tourism operators from traditional communities may not have the capacity or resources to develop a solid business plan. It was indicated that support for the development of a business plan can be obtained from the Ministry of Regional Development Department for Agricultural Development of the Interior, or the desk for entrepreneurship within the Department for Sustainable Development of Afro-Suriname of the Interior (OASB). Additionally, the design of SME support under Component 2 plans for support for business plan development, which can help address this gap.

Their geographic location and sometimes relatively poor accessibility were identified as an obstacle for Indigenous and Maroon communities to benefit from business development opportunities. Factors that hinder grant compliance and documentation requirements include: the absence of finance institutions in the communities; unreliable and intermittent energy supply; lack of reliable internet access; distance to the market and to clients; and distance to offices that could provide administrative support. More flexible arrangements and creative Project design will help lessen or remove these obstacles. In this context, it will be useful to document existing experiences with (micro)finance projects for Indigenous and Maroon communities.

Main concerns, challenges and identified impacts on Indigenous and tribal peoples (ITPs) mentioned by stakeholders during preliminary consultations with regard to Project Component 2 are summarized in Table 7.

Table 6. Main concerns, challenges and identified impacts on Indigenous and tribal peoples (ITPs) mentioned by stakeholders during preliminary consultations with regard to Project Component 1: Mining industry governance support

Stakeholder	Main function or interest	Main concerns, challenges and identified impacts on ITPs	Proposed mitigation measures
Ministry of RO, Dept. for Sustainable Development of Afro-Surinamese of the Interior	Central government body representing local Maroon communities, and responsible for their development	Mining does not need to have negative consequences for the local communities but it has to occur in collaboration with local communities.	<ul style="list-style-type: none"> <li>▪ Government needs to follow FPIC Procedures. At the Ministry of RO they already try to inform ITPs people as broadly as possible through community <i>krutus</i> and community radio.</li> <li>▪ With regard to mining activities, ITP communities have to be able to indicate what, and where one should not work.</li> <li>▪ Promulgation of the new law on Protection Communities and Living Environment will provide protection for ITP communities</li> <li>▪ Usually large companies have a department to deal with community relations. The government will have to support the local communities in such negotiations.</li> </ul>
Ministry of Natural Resources	Ministry responsible for extractive industry development, including allocation of mining concessions.	<ul style="list-style-type: none"> <li>▪ The present relation between the GoS and the ITP has become tense nowadays.</li> <li>▪ Concessions have already been allocated. At the moment of concession renewal one may encounter problems.</li> <li>▪ Conflicts over natural resources may divide communities, e.g. elderly vs. youngsters.</li> <li>▪ There have been situations where traditional authorities collect fees from third parties (e.g. gold miners), while these payments do not benefit the community as a whole. It is difficult</li> </ul>	<ul style="list-style-type: none"> <li>▪ NH takes new not-yet-promulgated law on Protection Communities and Living Environment into account in concession allocations.</li> </ul>



		<p>to assess the interests and wishes of the community as a whole, rather than those from a small group.</p> <ul style="list-style-type: none"> <li>▪ It must be understood that there is no link between any future geophysical data collection activities that the government may pursue and ITP land rights; those are two independent issues.</li> </ul>	
Trio and Wayana traditional authorities of Apetina region.	Traditional authority figures of the highland Indigenous Peoples.	Discussion focussed on communication sharing. Project content details were not discussed.	<ul style="list-style-type: none"> <li>▪ With regard to information sharing, it is best if the implementing organisation comes to the community. That way people will trust that the information is correct.</li> <li>▪ It is better to work directly with the traditional authorities, rather than through organisations (NGOs).</li> <li>▪ Messaging through the media is not preferred because people may not understand the information, and there is no opportunity to ask questions.</li> </ul>
Ndyuka traditional authorities and representatives	Customary living and user areas are situated in East Suriname. Much of this area has already been allocated as mining concessions (see Annex 2 and 3)	<ul style="list-style-type: none"> <li>▪ The land rights issue is very important. It needs to be resolved to ensure that Maroons can benefit from the Project</li> </ul>	<ul style="list-style-type: none"> <li>▪ With regard to information sharing, it is preferable to communicate directly with the traditional authorities and the communities, rather than through district government or NGOs. Written information is not necessary.</li> <li>▪ The Ministry of RO could play an important role in developing a grievance redress mechanism, as a liaison between the PIU and the community</li> </ul>

<p>VIDS; <i>Vereniging van Inheemse Dorpshoofden</i> (Association of indigenous village leaders)</p>	<p>Representative organization for Indigenous communities, in practice mostly in the coastal areas.</p>	<ul style="list-style-type: none"> <li>▪ When talking about mining, areas of Indigenous Peoples and Maroons are involved. There is still much discussion about what rights people can claim to subsoil and above ground resources.</li> <li>▪ The IACHR Judgement about the Kaliña and Lokono Peoples has not yet been executed by the GoS. A new, extractives-related case (Maho) has been brought to the IAC for consideration.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The roadmap for working towards recognition of Indigenous and Maroon land rights, which was developed by VIDS and Ministry of RO must be implemented.</li> <li>▪ Execution of IACHR judgements.</li> </ul>
<p>VSG; <i>Vereniging van Saramakaanse Gezagsdragers</i> (Association of Saamaka Dignitaries)</p>	<p>Represents interests of the Saamaka People, in the past years with a strong focus on ITP rights. With correct conflict within the Saamaka ethnic group, it is difficult to establish who are the true traditional authorities.</p>	<ul style="list-style-type: none"> <li>▪ The land rights issue has to be arranged first, otherwise a project like this will only have negative consequences.</li> <li>▪ Rulings from the Saamaka judgement have only partially been executed. Land rights have not been granted.</li> <li>▪ Fear that if any future geological data collection (fly-over) images are made and the government knows where resources are, more concessions will be allocated, also on the lands they inhabit and use. They are afraid that the government will not respect their customary rights.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Allocation of land rights; execution of IACHR judgements.</li> <li>▪ With regard to informing people, information should not only go to the <i>Granman</i>. There must be budget available to travel to the various places, and have people from further away communities to attend information meetings.</li> </ul>

Table 7. Main concerns expressed by stakeholders with regard to Project Component 2: Agribusiness and Tourism

Stakeholder	Main function or interest	Main concerns/identified impacts on ITPs based on preliminary consultation	Mitigation suggestions
Ministry of RO, Dept. for Sustainable Development of Afro-Surinamese of the Interior	Central government body representing local Maroon communities, and responsible for their development	<ul style="list-style-type: none"> <li>▪ It is difficult for inhabitants of traditional communities to obtain financing.</li> <li>▪ People from interior communities may not have the resources and capacities to develop an application for matching grant support.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Indigenous and Maroon peoples must be involved from the beginning, not when all activities have been defined.</li> <li>▪ The Ministry of RO, desk for entrepreneurship can help develop business plan</li> </ul>
Ministry of RO, Dept. for Agricultural Development of the Interior	Responsible for planning and execution of agricultural projects for ITP communities.	<ul style="list-style-type: none"> <li>▪ Main obstacle for ITP producers is getting produce to the market. Related are limited facilities for storage and cooling.</li> <li>▪ Low level of mechanization results in low production</li> <li>▪ Book keeping of Indigenous and Maroon producers is often suboptimal'</li> <li>▪ Little success with cooperative production</li> <li>▪ For lodge owners, obstacle is getting into contact with tourists.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Training in working cooperatively could solve some of the listed obstacles. Indigenous and Maroon producers must be motivated and mentored in this process.</li> <li>▪ Investment in simple machinery, e.g. equipment to crack nuts.</li> </ul>
Ministry of ROGB, Directorate for Land Affairs	Allocated land lease titles for agricultural development.	<ul style="list-style-type: none"> <li>▪ User areas of ITPs are not mapped, therefore one needs to include field orientation prior to granting a land lease title to areas near ITP communities.</li> <li>▪ Difficult to establish what is true opinion of the community, and not just of one or more traditional leaders, who may or may not act out of best interests for the community.</li> </ul>	<ul style="list-style-type: none"> <li>▪ In order to minimize impact on ITPs, the Ministry of ROGB conducts orientation field visits prior to land allocation. Presence of ITP communities and land use (e.g. subsistence plots) are documented. Interviews are conducted with the community to document community support for the proposed development project.</li> </ul>

Ministry of HI&T, Directorate Entrepreneurship		<ul style="list-style-type: none"> <li>▪ Outreach in the interior is costly</li> <li>▪ People in the interior are used to work individually, while production could be more efficient with bundling.</li> </ul>	HI&T team has been able to travel with the REDD+ team involved in a Innovative Economic Opportunities Study, which traveled throughout the interior.
Ndyuka traditional authorities and representatives		<ul style="list-style-type: none"> <li>▪ The land rights issue is very important. As long as we do not have legal/formal rights to our territories, we cannot benefit from projects.</li> <li>▪ People do not have collateral to be eligible for loans</li> </ul>	Should be possible that traditional authorities serve as a guarantee, e.g. by signing a letter, in order to be eligible for matching grant support.
VIDS; <i>Vereniging van Inheemse Dorpshoofden</i> (Association of indigenous village leaders)	Representative organization for Indigenous communities, in practice mostly in the coastal areas, with a strong focus on ITP rights.	<ul style="list-style-type: none"> <li>▪ Intellectual Property Rights related to Traditional Indigenous Knowledge must be taken into account.</li> <li>▪ If collateral is a prerequisite for obtaining a bank loan or microcredit, ITP are at a disadvantage</li> <li>▪ Long travel distance to financial institutions complicates payment of monthly installments</li> </ul>	<ul style="list-style-type: none"> <li>▪ Use FPIC procedures (e.g. example CELOS gene bank)</li> <li>▪ Follow WIPO-CARICOM guidelines for Intellectual Property</li> <li>▪ Government could serve as a guarantee</li> </ul>
VSG; <i>Vereniging van Saramakaanse Gezagsdragers</i> (Association of Saamaka Dignitaries)	Represents interests of the Saamaka People, with a strong focus on ITP rights.	[No discussion on agribusiness and tourism]	With regard to informing people, information should not only go to the Granman. There must be budget available to travel to the various places, and have people from further away communities to attend information meetings.

## 8 INSTITUTIONAL ARRANGEMENTS FOR SCREENING PROJECT IMPACTS ON INDIGENOUS AND MAROON POPULATIONS

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In order to ensure that the social safeguard policies of the World Bank are adhered to under the project, and that the required community engagement process for the ITPPF are followed, the following institutional arrangements are proposed for implementation.

### 8.1 PROJECT COORDINATION

The Suriname Ministry of Trade, Industry and tourism (*Handel, Industrie en Toerisme* – HI&T) and the Ministry of Natural Resources (*Natuurlijke Hulpbronnen* - NH) will be the project management agencies responsible for overall coordination of the SCSD Project, respectively PC 2 and PC 1. Two Project Implementation units (PIU) will be established under the named Ministries, with the responsibility of overseeing execution of the project.

The PIUs will have the overall responsibility for Project management, including ensuring compliance with agreed implementation procedures and other Bank guidelines, in particular the Bank’s safeguard policies. The PIUs are therefore charged with ensuring that Social Assessments and culturally appropriate Indigenous and Tribal Peoples Plans (ITPP) for sub-projects are developed. The PIU will conduct free prior and informed consultations that lead to broad community support. It is advised that either a senior social scientist with at least ten years working experience with Indigenous Peoples and Maroons in the Suriname interior, will serve as a social officer within both PIUs.

The PIUs will be responsible for informing both the technical line ministries and local district governments about Project activities that might affect Indigenous Peoples and Maroons in their districts and ressorts. The PIUs, notably the social officer, will proactively lead engagement with Indigenous and Maroon communities through their traditional leaders, in collaboration with staff from the District Commissioner’s office and relevant ministerial experts.

### 8.2 MONITORING AND EVALUATION

Monitoring and evaluation of the project’s activities with Indigenous Peoples and Maroons will be participatory and largely site-specific<sup>13</sup>. For PC1, more general project specific evaluation criteria and indicators will be defined to measure the community satisfaction, efficiency and effectiveness. Example indicators could be: “Number of people from the different Indigenous and Tribal communities that attended meetings”, “Total number of complaints received by indigenous and Maroon communities,

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<sup>13</sup> The specific project sites for PC 2 have not yet been defined

versus number that have been resolved satisfactory by definition of the complaining party” or “share of community members attending the project meetings who judged the meeting positively”. The social specialist will support the design of monitoring and evaluation instrument, with input from Indigenous and Maroon groups. Such input may be gathered during initial project engagement sessions (See Chapter 9).

For communities that are affected –positively or negatively- by on the ground activities related to PC 2, community specific indicators will be identified and measured during the social assessment for the sub-component. An example indicator for these activities could be: “Number of affected households that indicated being satisfied with mitigation measures, versus total number of affected households”. Indicators will be defined in consultation with the Indigenous and Maroon communities involved.

For both Project Components (Mining Sector Governance and Agribusiness/Tourism), evaluations must be carried out to monitor the evaluation criteria. People from the Indigenous and Maroon communities can play an instrumental role in collecting these monitoring data. Biannual local meetings with the participating indigenous communities will be held to discuss progress. An independent social assessment of the project’s work with Indigenous Peoples and Maroons will be carried out for the mid-term and final review.

## 9 ADDITIONAL SOCIAL ASSESSMENTS AND INDIGENOUS AND TRIBAL PEOPLES PLANS (ITPP) FOR SUB PROGRAM COMPONENTS

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The World Bank requires that for projects such as the SCSD, which involve the preparation and implementation of annual investment programs and multiple sub-projects, social assessments are carried out where indigenous peoples and other locally affected persons can be identified. If the screening of an individual program or subproject as specified in the ITPPF indicates that Indigenous Peoples are present in, or have collective attachment to, the area of the program or subproject, the borrower ensures that, before the individual program or subproject is implemented, a social assessment is carried out and broad community support achieved and an ITPP is prepared in accordance with the requirements of this policy. This section outlines the process in which this is to be carried out.

### 9.1 PREPARATION AND IMPLEMENTATION OF ADDITIONAL SOCIAL ASSESSMENTS AND INDIGENOUS AND TRIBAL PEOPLES PLANS

The PIUs, through the social officer, will take the lead in developing the required social assessments and ITPPs for the various sub-components. The social officer will work closely with the technical line ministries who are also working with the Project.

For Project Component 1, staff from the Ministry of NH, as the main implementing partner for the mining industry component, and from the Ministry of Regional Development (*Regionale Ontwikkeling – RO*), which is directly responsible for engagement with Indigenous Peoples and Maroons, will support the PIU with any technical assistance activities that are relevant for regulatory or institutional issues related to social safeguards and engagement with indigenous and tribal peoples. Within the Ministry of RO, the Department for Sustainable Development of Afro-Surinamese of the Interior (*Departement Duurzame Ontwikkeling Afro-Surinamers Binnenland - DOAB*) and the Department for Sustainable Development of Indigenous Peoples (*Duurzame Ontwikkeling Inheemsen- DOI*) are of particular relevance in this regard.

For Project Component 2, apart from the ministry of HI&T, the Ministry of Agriculture, staff from the ministry of Animal Husbandry and Fishing (Landbouw, Veeteelt, Visserij – LVV) and from the Ministry of RO will support the PIU with the development of the social assessments and ITPPs for sub-projects in Agribusiness, including the fishing and tourism sectors. Within the Ministry of RO, apart from the Department DOAB and the Department DOI, the Department for Agricultural Development of the Interior (*Agrarische Ontwikkeling Binnenland – AOI*) and the desk for Entrepreneurship are relevant partners in the development of these safeguard instruments.

In carrying out community consultations, the PIUs will liaise directly with the district governments responsible for the districts and ressorts in question. The District Commissioners and their working staff in the field, such as the Districts Secretaries and the local government supervisors (*Bestuursopzichters –BO*),

operate under the auspices of the Ministry of RO. These local government bodies are charged with the responsibility of monitoring and working closely with the traditional authorities to ensure community engagement, proper consultation procedures, and so have a key role in steering community development.

Local government staff typically have ample experience with community consultation processes, have personal contact with traditional authorities in the communities they serve, and speak the local languages. Nevertheless, these people may not be thoroughly aware of the World Bank OP 4.10 standards, including the application of FPIC. It is therefore advised that a process of capacity building will be implemented where local government representatives will be trained in these standards and guidelines.

## 9.2 CONTENT OF AN INDIGENOUS AND TRIBAL PEOPLES PLAN

The scope and level of detail of an ITPP varies with the magnitude and complexity of the specific sub-component or project activity. Typically, an ITPP will include:

- An introduction to the Project and regulatory framework.
- A description of the Project activity that create impacts on Indigenous Peoples/Maroons and actions to minimize such impacts.
- Conduct free prior and informed consultations that lead to broad community support
- A census of affected persons.
- An assessment of type, magnitude, duration and severity of potential impacts, including potential labor influx and associated gender-based violence risks<sup>14</sup>
- A detailed description of measures that may be taken to avoid, minimize, and compensation identified potential impacts.
- Results of consultations with affected communities and individuals about acceptable alternatives.
- A description of institutional responsibility for implementation and procedures for grievance redress.
- Arrangements for implementation and monitoring.
- A timetable and budget detailing all costs, including assessment, application of alternatives, compensation, administrative costs and monitoring fees.
- The outcome of the FPIC consultation leading to broad community support
- A summary of the social assessment
- A GRM with accessible procedures appropriate to the project activity
- A framework for consultation during project implementation

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<sup>14</sup> Assessments of labor influx and gender-based violence risks will be informed by World Bank guidance notes; see: <http://pubdocs.worldbank.org/en/497851495202591233/Managing-Risk-of-Adverse-impact-from-project-labor-influx.pdf>; <http://pubdocs.worldbank.org/en/399881538336159607/Good-Practice-Note-Addressing-Gender-Based-Violencev2.pdf>



### 9.3 INDIGENOUS AND TRIBAL PEOPLES PLAN APPROVAL AND DISCLOSURE

The PIUs will be responsible for organising the production of ITPPs. Any ITPP will need to be approved by the Ministry of NH (PC1) / Ministry of HI&T (PC2) and the World Bank. Once an acceptable draft has been prepared, the ITPP must be publicly disclosed in Suriname, with a summary in Dutch, and via the World Bank project information portal. During the public disclosure period, the ITPP will be presented to relevant GoS Ministries (incl. Ministry of HI&T, Ministry of NH, Ministry of LVV, Ministry of RO, local government stakeholders, and NIMOS), and made available in a summarised or full form as appropriate for the public consultation audience. Feedback from public disclosure will be incorporated in the final document and then it will be re-disclosed.

## 10 IMPLEMENTATION AND FUNDING ARRANGEMENTS

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Implementation of the ITPPF and subsequent ITPPs will be carried out under the oversight of the PIUs, assisted by complementary technical resources financed by the Project. The funds for the mitigation of possible impacts, including compensation measures, have been allocated under the Project total funds. The implementation of the ITPPF will be monitored and the information will be kept on the Project records. The ITPPs for sub-projects will include detailed information on mitigation and compensation for possible impacts. Project sub-activities will not start before sub-component specific ITPPs have been produced, reviewed and approved.

## 11 MEANINGFUL ENGAGEMENT AND GRIEVANCE REDRESS

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For all projects that are proposed for World Bank financing and that affect indigenous Peoples, the Bank requires that free, prior and informed consultations are conducted with potentially affected Indigenous Peoples. Particularly if the project involves the commercial development of natural resources (such as minerals, hydrocarbon resources, forests, water, or hunting/fishing grounds) on lands or territories that Indigenous Peoples traditionally own, or customarily use or occupy, the borrower must ensure that the affected communities are informed of (a) their rights to such resources under statutory and customary law; (b) the scope and nature of the proposed commercial development and the parties interested or involved in such development; and (c) the potential effects of such development on Indigenous Peoples' livelihoods, environments, and use of such resources.

The protocol for meaningful engagement, consultation and grievance redress is to ensure that Indigenous Peoples and Maroons affected by the project will have the opportunity to provide their views and feedback in a culturally appropriate manner during project implementation, as well as to ensure access to appropriate Project benefits.

### 11.1 PRINCIPLES FOR ENGAGEMENT WITH INDIGENOUS PEOPLES AND MAROONS

All Project-related communication with Indigenous Peoples and Maroons will be executed according to principles of Free, Prior and Informed Consent (FPIC). Guidelines for the practical application of these principles in Suriname have been described by the Association of Indigenous Village Leaders (VIDS) and the Association of Saramaka Dignitaries (VSG) in the "Community Engagement Strategy for the Government" (2016, version 1.1).

Largely in line with this document, this ITPPF proposes the following principles guide engagement with Indigenous and Maroon communities:

1. Respect;
2. Capacity building and empowerment; the community should not merely participate as a recipient, but should be empowered to independently execute and lead projects.
3. Rights-based: any project or program must respect human rights, including the collective rights of Indigenous peoples and Maroons.
4. Full information provision, optimal and continuous communication and transparency.
5. Effective participation, in all phases and at all levels.
6. Mutual trust, meet commitments made
7. Cultural sensitivity; respect for each other's cultures and way of life, including respect for traditional authorities and local decision-making processes.

8. Gender sensitivity: Respect for the respective roles and responsibilities of women and men, in a way that is both equitable and culture sensitive.
9. Taking different rights, needs and interests into account of different segments of Indigenous and Maroon communities, including elderly, youth, and so forth.

The principles of engagement and steps for the engagement process are explained in greater detail in the VIDS/VSG Community Engagement Strategy for the Government (2006), and guide the remainder of this section on engagement, consultation and grievance redress.

In Suriname, few examples are known where Indigenous and Maroon communities have been satisfied with a public or corporate community information and engagement strategy. An exception is the community information and engagement strategy that was employed by Newmont Mining Corporation in the Indigenous Lokono and Kaliña communities of the Carolina area<sup>15</sup>, in the context of the ESIA study for its Sabajo Project extension to the Merian mine. The mine extension does not overlap with the lands of these Indigenous communities, but the company is planning to use a road through the area for transportation of staff and materials.

In order to start the engagement process, contact was made with the traditional authorities of the different communities, to request permission for a first visit to explain the Project. In each community, during following visits, a community contact person was appointed to serve as the liaison person between the company and the community. These persons also helped schedule follow-up meetings in the communities.

In a subsequent visit, company staff, with the team of consultants, visited the communities to discuss the proposed methodology for data collection in the communities. These meetings were held in the communities, and community members had an opportunity to ask questions and provide feedback, which was integrated into the proposal. For ESIA-related data collection, the consultancy team coordinated closely with the community contact person and the traditional authorities. During the collection of social data, a Newmont Community relations staff member was present at all time to guard the process, but stayed at a respectable distance during interviews. When the draft ESIA study was completed, the draft results were presented in the communities during validation meetings. Again, this was an opportunity for the communities to provide feedback, which was incorporated into the ESIA study to ensure that the data were an as accurate as possible representation of the reality in these communities.

Public meetings about the ESIA study have also been conducted in Paramaribo, and other relevant communities. The final ESIA reports are available online.

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<sup>15</sup> Powakka, Philipusdorp (Kl. Powakka), Redi Doti, Cassipora, and Pierre Kondre Kumbasi

## 11.2 PARTICIPATION, CONSULTATION, AND DISCLOSURE

While the Project's direct impacts on Indigenous Peoples and Maroons are expected to be benign, the views of Indigenous Peoples and Maroons, as well as other project Affected Persons (PAPs) on any Project activities will be considered when planning and implementing the Project Components.

In line with the VIDS/VSG guidelines, the director of the Department for Sustainable Development of Afro-Surinamese from the Interior (*Duurzame Ontwikkeling Afro-Surinamers Binnenland – OASB*) from the Ministry of Regional Development emphasized the importance of meaningful consultation with the inhabitants of the interior<sup>16</sup>. As compared to the previous generation of *granmans*, he conveyed, the present *granmans* have a different approach. They no longer want plans to be made in the city, and next forced upon people in the interior. If you do not coordinate with them, they do not want to collaborate. Also, the issue of FPIC is now very familiar to traditional authorities, and considered protocol.

Participation, consultation and disclosure take place at different stages of Project development.

### 11.2.1 Pre-Project preparation of safeguard instruments: high level consultations

During the preparatory Project phase, the main Project Components have been defined (PC1: Mining industry governance support, PC2: Value chain and SME support especially in agribusiness and tourism). However, specific sub-project activities will not be defined until implementation, especially for PC2. At this Project stage, different safeguard instruments are developed, namely:

- An Environmental and Social Management Plan (ESMF)
- A Rapid Social Assessment, focussing on Indigenous Peoples and Maroons
- An Indigenous and Tribal Peoples Planning Framework
- A Resettlement Policy Framework

World Bank requirements dictates that these safeguard instruments will be shared with stakeholders on a public consultation meeting. These consultations were held in November 2018 and entailed the following:

The first consultation session held on November 13, 2018 focused on public sector stakeholders. These consultations included representatives of the ministries of Trade, Industry & Tourism; Natural Resources; Regional Development; and Agriculture, Livestock & Fisheries, as well as NIMOS. The MTIT and MNR project preparation teams hosted the sessions and were supported by WBG safeguards specialists to present the frameworks through PowerPoint Presentations. The participants gained an understanding of background, objectives, content, and practical implications of the ITPPF, ESMF and other instruments, and they broadly confirmed the value of the frameworks. Some minor issues for clarification were raised, which the GOS and WBG teams addressed. NIMOS expressed its willingness to cooperate in future developments of ESMPs during sub-project design and implementation. Questions were also posed about how community involvement would occur practically during the project, especially regarding indigenous and tribal

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<sup>16</sup> M. Misiedjan, pers. Com 04/10/2018

communities, and the meeting discussed how consultations would be held with specific communities when particular subprojects and their scope of influence are identified, as outlined elsewhere in this ITPPF.

The second consultation session held on November 15, 2018 focused on private and civil society stakeholders. This session included representatives of the Trade and Industry Association, Association of Exporters of Agricultural Products, Chamber of Commerce, Economists Association of Suriname, and of the private sector in tourism, agricultural production, and livestock. As with the public sector consultation meeting, the MTIT and MNR project preparation teams hosted the session and were supported by WBG safeguards specialists to present the frameworks, and participants gained an understanding of background, objectives, content, and practical implications of the instruments. All participants confirmed the need for the safeguards plans, but raised concerns about threshold levels. The participants noted that levels of both social and environmental requirements should be appropriate in relation to the scope, size, and nature of potential sub-projects under the SCSD Project. SME representatives expressed concern about the additional administrative burden related to the safeguards requirements and requested for the inclusion of financial facilities through which the SCSD Project will cover the costs for the hiring of administrative and E&S support. The meeting acknowledged these concerns and discussed how project resources would be available to support the implementation of safeguards requirements during project implementation. This would include provision of capacity support of project environmental and social specialists through the MTIT PIU to work with project beneficiaries, and the eligibility of using grant resources to implement subproject environmental or social measures that are required for compliance or that enhance the sustainability of the subproject.

At this Project stage, participatory consultations with Indigenous and Maroon people at the community level will not yet take place, because:

- (a) Too little detail is known about the actual Project interventions to provide relevant information about activities, possible impacts and mitigation measures, given the focus on sub-projects to be defined during project implementation.
- (b) Discussing Project detail at the community level at this stage may create false expectations and generate concern about possible project impacts, while such impacts –positive or negative- cannot yet be known.

Nevertheless, in order to ensure that Indigenous and Maroon peoples are not excluded from consultations about a planning framework that discusses their interests and engagement with their communities, a separate one-day meeting was held in Paramaribo with representatives of the four Indigenous and six Maroon ethnic groups on January 23, 2019. This meeting specifically focused on the structure and content of the ITPPF, and on its function as an umbrella document for additional sub-project specific Indigenous and Tribal Peoples Plans. The discussion points and outcomes of this consultation are provided in Annex 2, and feedback provided has been incorporated in this ITPPF.

### 11.2.2 Preparation and execution of sub-components: Meaningful engagement with Indigenous and Maroon Peoples

As the SCSD sub-Projects get specified in terms of location, activities, and timing, safeguard instruments will be developed for these various sub-projects. Consultation and engagement processes for these sub-Project instruments will take place on different levels.

Again, as has been described for pre-Project consultations, public consultation meetings for the sub Project components will be held with ministerial partners and other stakeholders. Arrangement of this meeting will follow NIMOS guidelines, as specified above.

In organizing consultations with Indigenous peoples and Maroons, the Project must ensure that they are meaningful. During preliminary consultations, representatives of Indigenous and Maroon ethnic groups requested that project information is provided to them directly by an independent World Bank representative, rather than only through a Ministry or the District office. Also, it was indicated that meeting with NGOs in the urban areas alone is generally not sufficient. Consequently, meaningful consultation must take place in the interior communities or community-clusters. In order to encourage participation by community members, there will be sufficient advance notice, travel and expense funding for participants, needed language assistance, and sufficient time for participants to receive information about the SCSD Project components in advance. Meetings with interior communities (*krutus*) typically take some time, and may require multiple sessions of information provision, internal debate, and reconvening. Preferably at least two days are scheduled per meeting (incl. travel time).

With regard to languages used, for the coastal indigenous groups, it was indicated that the best language for written information is Dutch (but in non-technical language and with visuals), while the best language for spoken information is Sranantongo. In the Maroon communities, the preferred language for spoken information are the various Maroon tribal languages. Also the Southern Indigenous Peoples, the Trio and Wayana, prefer spoken information in their own language. For these interior Maroon and Indigenous communities, written information was not considered the best way to reach people.

In terms of identifying locations for consultation meetings, a strategy that is typically employed by the Ministry of Regional Development, is that *krutus* are only held in the in one main location, usually the residency of the *granman*, per ethnic group<sup>17</sup>. When such a *krutu* is held, the *granman* is asked to call together the tribal authorities (*dignitarissen*), such as *kapiteins* and *basias*<sup>18</sup>. The *granman* makes sure that the head *kapiteins* (head of the clan or 'lo") are present. These local tribal authorities are asked to help inform the various communities. The *basias* will travel along the rivers to spread the information. An additional advantage of meetings in the communities rather than in Paramaribo city, is that community

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<sup>17</sup> Mr. Martin Misiedjan, Director. Department Sustainable Development of Afro-Surinamese of the Interior, Ministry of Regional Development, pers. com. 04/10/2018

<sup>18</sup> See for an extensive discussion of the traditional authority positions the RSA

visits facilitate engagement with different people, such as women’s organisations, people who do tourism and so forth<sup>19</sup>.

For the development of sub-component specific safeguard instruments for PC2, which may target a specific community or group of communities, appropriate engagement processes will follow the general information and engagement as laid out in section 9.1. Appropriate steps in this process are:

1. Initial contact with the community/communities to explain the sub-project
2. Appointment –by the community- of a community contact person who will be in direct contact with a contact person from the PIU, preferably the social specialist.
3. Meeting(s) with the community to explain the safeguard instruments that will be developed and the proposed methodologies. Any concerns, suggestions and requested modifications from the community will be documented and integrated.
4. Agree on a grievance mechanism
5. Development of the safeguard instruments. Collection of primary data from the communities (e.g. demographic data) will occur in close collaboration with the community contact person and the traditional authorities.
6. Presentation of the draft safeguard instruments for feedback.
7. Making safeguard instruments, with a summary in Dutch, available online.

To ensure that all relevant project Affected Peoples (PAPs) are able to participate in the hearing, at least one consultation meeting will take place in the most accessible location in the region where the project is going to be implemented.

An additional method of informing people, also employed by the Ministry of Regional development, is to spread information through community radio, for example Radio Paakati for the Ndyuka. They also use national radio and TV stations from Paramaribo that broadcast in the tribal languages and are popular with a maroon audience, such as Koyeba and Asosié radio and TV <sup>20</sup>.

*Table 8. Locations suggested for public consultation meetings with Indigenous Peoples and Maroons.*

Tribal Group	Sub-group or regional spread	Consultation meeting location
Okanisi (Ndyuka)	Upper Tapanahoni River	Drietabbetje
	Lower Tapanahoni River	Stoelmandeiland
Saamaka	Suriname River	Gujaba
	Suriname River	Asidonhopo / Djoemoe

<sup>19</sup> M. Misiedjan, pers. com 04/10/2018

<sup>20</sup> M. Misiedjan. Pers. com 04/10/2018; also: Mr. L. Jack, director, Mr. Valdano, head secretary of the director, and Mr. R. Apoetiti, department board. Department Agricultural Development of the Interior, Ministry of Regional Development, pers. com. 02/10/2018

Saamaka & Okanisi from Brokopondo district	Saakiki (Baku, Pisian, Redi Doti) and below powerlake (Afobaka until Asigron)	Brokopondo Centrum
	Afobaka road between Paranam and Klaaskreek	Klaaskreek
	Brownsweg communities and Koffiekamp	Brownsweg
Matawai	Saramacca River	Nw. Jacob kondre / Pusugrunu
Kwinti	Coppename River	Witagron
Paamaka	Marowijne River	Langatabiki
Aluku	Lawa River	Cottica a/d Lawa
Trio and Wayana	South Suriname	Kwamalasamutu
	Lawa	Kawemhakan
	Tapanahoni	Palumeu
Lokono and Kaliña	Para	Powakka
	Wayambo	Donderskamp
	West Suriname	Apoera
	Upper-Marowijne	Erowarte

It is important to fully document all consultation and disclosure efforts, and compose a detailed report on the issues raised and how they will be addressed. If appropriate, the views of men and women will be recorded separately. Vulnerable groups such as pregnant women, the elderly, children, and the disabled, will be identified and special measures put in place to enable their access to Project benefits.

The PIU will undertake the following activities:

- In coordination with possibly affected Indigenous Peoples and Maroons, select appropriate dates, times and venues for consultation meetings;
- Take responsibility for meeting logistics (e.g. travel to and from meeting location from surrounding communities) and facilitation.
- Solicit feedback, note taking and production meeting report;
- Incorporation of feedback from Indigenous Peoples and Maroons into Project planning and design.

### 11.3 DISCLOSURE OF THE INDIGENOUS AND TRIBAL PEOPLES PLANNING FRAMEWORK

After its drafting, the ITPPF is required to be disclosed by the World Bank and the GoS. NIMOS allows public disclosure through their office and website for the general public. In addition, the PIU will forward copies



of the ITPPF to the local government authorities, other relevant governmental agencies, and Indigenous and Maroon representative groups that requested a copy.

The ITPPF will be addressed during the consultations of the RSA and at future public consultation events. The draft ITPPF will be made available at relevant accessible locations in the Project area together with the RSA documentation. A summary of these documents, in English and in Dutch, will be distributed to the different Indigenous and Maroon communities. If desired by the communities, summaries in other languages will be provided – in particular in Trio and Wayana indigenous languages, as requested during consultation discussions. Public consultation feedback will be incorporated into the final ITPPF. The final ITPPF will be cleared by both World Bank and government authorities and then disclosed on their respective websites.

#### 11.4 GRIEVANCE REDRESS MECHANISM

As discussed in the RSA, existing grievance redress mechanisms within the Suriname legal framework have not functioned optimally from the perspective of Indigenous peoples and Maroons. For example, the 1986 1992 Forest Management postulates that “appeal may be made to the President”. In practice, however, Indigenous peoples and Maroons report that such appeals have not been answered nor had any effect. The various large mining companies do have grievance mechanisms through their Community Relations and/or Corporate Social responsibility programs. In working with communities, however, it often appears that it is for local people unclear who they can contact; that problems are not resolved in a satisfactory manner; and that there is often no feedback or information about what happened to the grievance that was submitted. These issues must be kept in mind in developing a grievance redress mechanism for the SCSD project.

The PIUs, via the RSA and the ITPPF, commit to engaging with Indigenous Peoples and Maroons in a manner that is conciliatory, fair, and transparent. Care will always be taken to prevent grievances rather than going through a redress process. Through careful Project design and implementation, by ensuring full participation and consultation with Indigenous peoples and Maroons according to FPIC principles, and by establishing communication and coordination among the various implementation entities, the Project aims to try to prevent grievances. Nonetheless, affected Indigenous Peoples and Maroons may disagree with a decision, practice or activity. Hence the Project will need to establish a grievance redress mechanism. The sections below describe grievance redress mechanism recommendations in more detail.

A grievance mechanism consistent with the requirements of WB OP 4.10 on Indigenous Peoples will be established to prevent and address concerns and grievances related to Project impacts. The mechanism is an integral part of effective social performance. It aims to be accessible to all stakeholders, including the poor and the vulnerable, so that the issues raised are resolved effectively and expeditiously.

Resolution principles that form the basis of the grievance mechanism are: proportionality, cultural appropriateness, accessibility, transparency and accountability. The processes of the grievance mechanism include:

- Receive and register comments
- Review and investigate complaints and grievances
- Develop resolution options
- Respond to grievance and agree on resolution
- Monitor implementation of resolution
- Finish tracking as closed out
- Evaluate lessons learned

The most common grievances related to Projects in areas where Indigenous Peoples and Maroons reside typically include grievances related to:

- Failure to provide complete and transparent project information in a manner and language that is understandable to affected Indigenous and Maroon communities.
- Provision of misleading information, including false promises about project benefits to Indigenous Peoples and Maroons.
- The development of projects on lands that are part of the customary living and user territories of Indigenous Peoples and Maroons, without proper consultation (lack of FPIC);
- Limited, or absence of, project benefits for Indigenous Peoples and Maroons.

Affected Indigenous and Maroon individuals and communities, as well as other stakeholders, will have the right to protest against project activities.

Face-to-face meetings, telephone conversations and messaging, and e-mail will be made available to Indigenous Peoples and Maroons, and other Project Affected Persons (PAP), for raising issues, concerns and grievances. Issues, concerns and grievances may be made in the language the person is most comfortable with. The processes identified will be tracked from acknowledgement, investigation and verification, to remedial action. Grievances will be sorted, categorised by risk level (related to delay of Project activities or increased budget needs), and logged. Based on the grievance topic and its risk categorisation, the PIU will identify an appropriate team of one to three people to undertake an investigation. As appropriate, one of the three will be external to the PIU.

After investigation and agreement on the action plan, remedial activities will be monitored and evaluated. Feedback on the investigation results, action plan, and results of remedial activities will be provided to the complainant.

A PIU staff member will be responsible, and trained appropriately, for managing the grievance process. This person also will be trained in human rights/indigenous rights issues, as well as in the meaning and application of FPIC procedures with indigenous Peoples and Maroons. The VIDS/VSG Community Engagement Strategy will serve as a guideline for such training. All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the Project.

If no solution identified by the Project is acceptable to the complainant, within two weeks the Project will organise a committee under the auspices of the District Government with about five members who are considered familiar with the topic but not familiar with the case. The committee should result in a solution acceptable to all, and identify responsibilities and an action plan. The Project should begin implementation of the agreed redress solution and convey the outcome to the World Bank within seven working days.

If the complainant is still dissatisfied, the Project will invoke a legal resolution process based on the Suriname legal framework described above, complemented by the World Bank policies and guidelines. Where Suriname legislation and World Bank policies and guidelines are in disagreement, the more robust of the two affording affected parties and communities greater protection will prevail. The use of the resolution initiates a negotiation process.

The PIU will identify and describe any grievance voiced by Indigenous Peoples and Maroons, as well as details on investigation, remedial actions and results to the WB in periodic progress reporting.

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## ANNEX 1. CONSULTED STAKEHOLDERS – PRELIMINARY CONSULTATIONS

Name	Institution / Company	Function	Date
Donaghy Malone	Ministry of Trade, Industry and Tourism, Department for Entrepreneurship	Deputy Director	03/10/2018
Dave Abeleven	Ministry of Natural Resources	Director	11/10/2018
Reenuska Mahabier	Ministry of Natural Resources	Geologist, and SCSD focal point	11/10/2018
Angela Monorath	Ministry of Natural Resources	Advisor	11/10/2018
Zaria Eenig	Ministry of Spatial Planning, Land and Forest Management (ROGB), Directorate Land Management (Grondbeheer)	Interim Director	04/10/2018
Ricky October	Ministry of Spatial Planning, Land and Forest Management (ROGB), Department for Public Domain Land		04/10/2018
Wensley Misiedjan	Ministry of Regional Development (RO), Sustainable Development of Afro-Suriname Peoples of the Interior (DOAS)	Director	04/10/2018
Leeroy jack	Ministry of Regional Development (RO), Department for Agricultural development Interior	Director	02/10/2018
Ramon Apoetiti	Ministry of Regional Development (RO), Department for Agricultural development Interior	Department Board	02/10/2018
Mr. Valdano	Ministry of Regional Development (RO), Department for Agricultural development Interior	Principle Secretary	02/10/2018
Quan Tjon-Akon	National Institute for Environment and Development in Suriname (NIMOS), Office of Environmental and Social Assessments	Senior Field Officer	01/10/2018
Gina Griffith	National Institute for Environment and Development in Suriname (NIMOS), Office of Environmental Legal Services	Legal Advisor	01/10/2018

Marjory Danoe-Alimoenadi	National Institute for Environment and Development in Suriname (NIMOS), Office of Environmental and Social Assessments	Field Officer	01/10/2018
Loreen Jubitana	Association for Indigenous Village Heads (VIDS)	Director	11/10/2018
Marie-Josée Artist	Association for Indigenous Village Leaders (VIDS)	Community Development Specialist	11/10/2018
Stiefen Petrusie	Association of Saamaka Traditional Authorities (VSG)	Chair, and kapitein of Saamaka	07/10/2018
Merona Godlieb	Association of Saamaka Traditional Authorities (VSG)	Member (Community of Pokigron)	07/10/2018
A. Donoe	Association of Saamaka Traditional Authorities (VSG)	Secretary	07/10/2018
Renatha Simson	Association of Saamaka Traditional Authorities (VSG)	VSG Director	07/10/2018
Wareng Eduards,	KAMPOS (Organisation for Kwinti, Aluku, Matawai, Paamaka, Okanisi and Saamaka Maroons)	Chair, and representative for Saamaka	07/10/2018
Annie Walden	KAMPOS	Representative for Aluku	07/10/2018
Lucas Sana	KAMPOS	Kapitein of Paamaka	07/10/2018
Hendrik Pai	KAMPOS	Representative for Okanisi	07/10/2018
Mr. Bono Velantie	Okanisi (Ndyuka) traditional Authorities [Only brief introduction of the project and preliminary reactions]	Granman	06/10/2018
Mr. Lesina		Hoofd-kapitein	
Mr. Baja		Kapitein	
Mr. Velantie		Kapitein	
Mr. Djani		Kapitein	
Mr. Wajo		Hoofd-kapitein	
Mr. Thoman Gazon		Basia	
Mr. Roy van Dijk		Basia	



Jopie Matodya	Cabinet of the Okanisi (Ndyuka) granman [Only discussed preferred consultation strategy]	Secretary of the granman	07/10/2018
Ms. Lena	Drietabbetje women's organization "Uma Fu Du". [Only discussed preferred consultation strategy]	Vice-chair. Also female Basia	06/10/2018
Faria Sapa, and Jonathan Sapa, (son & translator)	Traditional authority of Palumeu [Only discussed preferred consultation strategy]	Kapitein	07/10/2018
Mr. Meterie, and Edward Meliwa from Apetina (son & translator)	Traditional authority of Apetina [Only discussed preferred consultation strategy]	Kapitein	07/10/2018
Mr. Aines	Traditional authority of Apetina [Only discussed preferred consultation strategy]	Kapitein	07/10/2018

## ANNEX 2. NOTES FROM INDIGENOUS AND TRIBAL GROUP CONSULTATION MEETING

Date: 23<sup>th</sup> of January 2019

Place: Ministry of Natural Resources

Participants: representatives from government of Ministry of Natural Resources (MNR), Trade, Industry and Tourism (MTIT), Regional Development (MRD), and members of District Councils; representatives of the World Bank; and representatives from Maroons and Indigenous groups.

### General:

The project was presented in general by Dave Abeleven and Reenuska Anandbahadoer-Mahabier from MNR (component 1) and Jerrol Renfurm from MTIT (component 2), which was followed by a Indigenous and Tribal Peoples planning Framework (ITPPF) presentation by Marieke Heemskerk, consultant of the World Bank.



### Speakers in action

#### Questions and remark in general:

What is the time frame of project?

When will the actual consultation take place?

Is the ITPPF document based on separate consultations with the traditional groups?

What if consultation meetings show that the traditional groups don't support this project and don't want this project to happen? Will this project stop?

*Response:* The meeting discussed the expected time frame, and that consultations would be held for specific activities during project implementation when specific activities are identified and being planned. The meeting discussed that the project would not immediately be stopped, but more meetings would be held to better understand why the traditional groups are not willing to support this project, to seek to address their concerns and include conditions so that they can be supportive.

#### *Swedo- District Council Coeroeni*

Mentions that most of the time the government does not involve them in activities. Concessions and Mining areas are given out without their consent. They would like to get informed about every step the government takes in their living areas. Suggestions made include:

-Take enough time to consult the several groups and resorts (groups of villages).

-Do not only consult the Granman or Captains of the group, but also other people of the villages/groups. During consultation, also provide paper flyers to the groups about the activities starting.

-If someone from outside gets permission for activities in living areas of the traditional groups every single rule or requirements need to be formalized in letters. Most of the time promises are made informal, which are not fulfilled.

Remark from the Samaaka group:

-To replace the word "villages" into living area of the groups. As the traditional groups have their village where they stay, but some of the areas in the nearby are used for agriculture or other activities.

#### **Component 1**<sup>21</sup>

*Speaker: Renate Simson (Vereniging van Samaaka gezagdragers)*

When will the actual activities start?

*Response:* Not before 6-12 months.

*Arnold Arupa (Head teacher, Wayana Indigenous group):*

Where or with whom we can discuss our problems during this project? Is there a point of contact at the Ministry? Will there be sanctions?

*Response provided:* There will be a complaint mechanism accessible to the groups, where any problem can be submitted.

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<sup>21</sup> Note: the consultation also discussed project activities that were being contemplated at the time of the meeting, which were subsequently dropped from project design. This summary the issues discussed related to activities that were kept in project design; the full minutes of the consultation discussion are available in the World Bank project files.

Suggestion: Is it possible to have persons in this unit which are trustworthy.

*Speaker: Renate Simson (VSG)*

So the government informs us what they will do in the future. What if they find a gold vein below living area of these groups and after 6 year the government want to mine the vein? What safeguard is in place after the project completes (after the 6 years) to ensure that nobody comes and starts mining near or in their living area. Who will ensure these? Will World Bank do that? She indicated that she was afraid that at the moment that the Project completes and there is no more World Bank monitoring, bulldozers would come to wipe the villages from the map and start mining.

*Response:* This is a Government of Suriname project, not a World Bank project. After the project ends, the World Bank will not be involved in any Mining activities in their Living areas. That is the responsibility of the government. Under this project the World Bank will help adjust the Mining law (legislation), which can strengthen safeguards in the long term.

*Question:* There are two types of laws, the one on paper and the other the customary laws. Which one will be adjusted?

*Response:* The one on paper will be adjusted by the government. And during the project, the World Bank funded project and its activities shall also take into account the customary laws (social part)

*Concern:* most of the time the laws on paper are in contradiction with customary law and practice, so in this case the traditional people will have to suffer again and get nothing in return.

*Response:* the Project will seek to work collaboratively together with the traditional groups, starting with this type of consultation engagement. The project to be implemented with the World Bank will seek to avoid or minimize any negative effects on the traditional groups, and this is also specifically included in the safeguards of the Bank that will apply under this project.

## **Component 2:**

*Question:* When do we talk about FPIC? By free, prior and informed consultations, does this mean FPIC?

*Response:* free, prior and informed consultations are different from free, prior, and informed consent, which is known as FPIC. In general, the project will use free prior informed consultations, but necessarily FPIC. If a community does not agree with the project in general, we will investigate what are the concerns, and see how those can be addressed so that the concerns are taken away. In the case of specific sub Projects on indigenous or Maroon lands, FPIC will be applied.

*Arnold Arupa - When does FPIC comes in?*

*Response:* in case that someone from outside the community would apply for matching grant money to start/extend an agricultural project, for example, and that project would (partly) overlap with land that is part of the homelands of the Indigenous Peoples and Maroons, the project would require FPIC with that community. There was also discussion of whether FPIC would apply to local community members seeking Project support for activities on community land.

*Obed Kanape (Regional Development):*

It was mentioned in previous conversations with WB that only people who have shortage in money for a project can apply for a loan. In Sipaliwini area the traditional groups do not have income. Where will they get a share the amount? Does that mean they are not qualified for a loan?

Who will screen a project document applied for a loan? MTIT of WB?

Do you as a company need a track record of x years?

Can maroons or Indigenous also qualify for a loan for agriculture or tourist activity?

How much can a person get from loan/grant of the large sum of WB.

Does a project for agriculture or tourism needs to be profitable? What are the conditions to qualify for a loan for agriculture or tourist activities?

For example someone gets a loan and starts an agriculture business. After 2 years he doesn't follow WB conditions? What will be done? Who will pay back for damage?

*Response:* It was clarified that project activities are for grant support to businesses, not loans, although matching contribution would be required. It was explained that, every business could be eligible for a matching grant, but they do not automatically get a grant. Each Surinamese company that is interested can apply for a matching grant, also maroon and indigenous groups. Thus everyone is qualified, but the project needs to be approved by a selection committee. this committee has not yet been established, but will be comprised of Surinamese public and private persons. the final overview will be done by the World Bank for approval. The Marroon and indigenous group can thus also apply for agricultural and tourist matching grant support. They do need to be profitable, since this is how the project support is designed to make sure the grants help businesses grow. It was also conveyed to the Marroon and Indigenous groups that the amount of the matching grant for SME's has not yet been defined, and there would be a range of amounts that could be available depending on the business. Regarding the last question it was made clear that businesses are responsible for using the resources, the government will not stand in for a business loss that may result, as that is the entire idea of business risk taking.

*Iwan Adjako (Samaaka group):* First our land rights need to be allocated by law, before starting any project in this country. Because this project has no profit for the traditional groups, it will cause only damage. The traditional groups will again be the victim. IMF loan, WB loan, Rosebel doesn't want traditional groups to mine on their areas, in all of this only the traditional groups are the Victim. Here he provided the Samaaka judgement as an example of government obligations vis-à-vis the Maroons that have not been fulfilled.

*District Commissioner Jurel:* Listening to the reaction of the groups, there are positive and negative perceptions of the project. Social disturbance can occur if project is not approached and managed well. If development for Suriname is needed, the land rights need to be resolved first. He also indicated that he expected that these rights would be allocated relatively soon.

*Response:* The issue of land right of the traditional groups has been discussed for at least 40 years, and it cannot be guaranteed that it will be resolved relatively soon. It is for these types of considerations that the World Bank has its social safeguards policies and rules for Projects, in which traditional groups or living areas are not to be harmed or damaged.

*Other concerns and suggestions raised:*

Mostly permission is given by Granman or head Captain to have activities in village, and mostly the conditions are not written in the permissions. Suggestion is to write all conditions in a letter to make everything formal, not only the permission.

No personnel of Ministry of Land and Spatial Development is here. They also need to be involved as many areas are given out in concessions for wood and timber, without consent of the tribal and Indigenous groups.

### Concluding remarks

There were both positive and negative perspectives on the project raised by the groups. There were many strong concerns particularly related to the land rights issue. Regardless of the consultations, these concerns remain – and they will for sure be reiterated during any consultations in the interior at the community level.

An appropriate way forward would be to start with an overview of project and specific activity plans at the resort level in the interior including the villages per resort. The groups were positive to assist the Ministry to cluster the villages for consultation meetings. For example Boven Suriname resort has about 50 villages. The ones near the water power station can be clustered in 1 village, so only 1 krutu can be held to consult people from 6 villages. The indigenous groups have insisted to translate at least the summary of the document in Wajana and Trio. For the other groups Dutch is okay.

**Note:** representatives from all maroon and indigenous groups were present. From one group, the Okanisi, the Captain could not send representatives, due to miscommunication. But mr. Ruben Ravenberg from the Lo's organization of the Okanisi group was present. The full list of participants follows:

-	<b>Name</b>	<b>Organization/ representative</b>
<b>Disctrict council</b>	-	
-	Mr. Swedo S	District Council Coeroeni
-	Ms. Sardjoe S	District Council Coeroeni
-	Mw. Apai Prior B	District Council Tapanahony
-	Mw. Daalen E	District Council Tapanahony
-	Mw. Trees Cirino	District Council Kabalebo
-	Mw. S. Cirino	District Council Kabalebo
-	Hr. Humphry Jeroe	District Council Boven Suriname
-	Mr. Bexeau H.	District Council Boven Suriname
-	Hr. Jabini	District Council Pamacca
-	Hr. Apotie Marvin	District Council Pamacca
-	Hr. Armand Jurel	District Council Para
-	Mw. Kago Lidia	District Council Nickerie
-	Hr. Gerard Julio	District Council Nickerie
-		

<b>Marroons</b>	Walden Annie	Group Aluku
-	Mr. Tjappa	Group Paamaka
-	Ruben Raavenberg	Group Okanisi /Federatie 12 Lo's der Okanisi
-	Iwan Adjako	Group Saamaka
-	Renatha Simson	Group Saamaka/ Vereniging van Saamaka Gezagsdragers
-	Sheila Emanuel	Group Matawai
-	Ince Adriaan Emanuel	Group Matawai
-	Hoofkapitein Souvernir	Group Kwinti
-	Mr. Bron Roy	Group Kwinti
-		
<b>Indigenous</b>	Arnold Aroepa	South area (Apetina)/ Kuluwayak/
-	Dijon Koemapu	South area (Apetina)/ Kuluwayak/
-	Ijupta itoewaki	
-	Jules April	
-	Raoel April	
-	Theo Jubitana	(VIDS)
-	Loreen Jubitana	(VIDS)
-		
<b>Ministry</b>	Ms. Gallant Uria	GMD
-	Ms. Christina Ngai	GMD
-	Mr. Vroom	Ministry of Regional Development
-	Mr. Tony	Ministry of Regional Development
-	Mr Leefland	Ministry of Regional Development
-	Mr. Obed Kanape	Ministry of Regional Development
-	Mrs. Menig C	Ministry of Regional Development
-	Mr. Jerrol Renfrum	MTIT
-	Mr. Merril Truideman	MTIT
-	Ms. Varsha Jhagroe	MNR
-	Mrs Reenuska Mahabier	MNR
-	Mrs. Angela Monorath	MNR
-	Mr. Dave Abeleven	MNR
-	Mrs. H. Aroma	MNR
-	Mrs. R. Scheerman	MNR
-		
<b>Organisations</b>	Mrs. Marieke Heemskerk	Social safeguards consultant
-	Ms. Shanon Murg	Nimos
-	Ms. Danoe- Almoenadi	Nimos

**Pictures of the consultation meeting**







