

Isseneru Village calls for recognition of traditional land rights

On Thursday the 17th of January a court ruling was passed in favor of Joan Chang who was previously carrying out mining activities within our titled lands. The decision says that miners who obtained mining permits prior to the Amerindian Act of 2006 are not bound by its provisions and consequently do not have to obtain permission from the village before carrying out operations on village land.

The village of Isseneru received a land title from the government in 2007. This land was, however, much smaller than what we had applied for and consider our traditional lands. Only three months after receiving the title it became clear that the officially recognised land was not in effect ours. Miners started coming into the land claiming to have rights to carry out activities there. When we tried to negotiate and stop the miner Lalta Narine we were taken to court, and in late 2008 a decision was made stating that we did not have the right to stop the mining activity. Isseneru appealed the matter, but it is still pending in court and Narine is still carrying mining in our lands.

After the issues experienced by our village with external miners the government decided to demarcate our land in 2010 and we received a Certificate of Title. Despite this, the mining problems continued. We sent letters to the Minister of Natural Resources and the Environment and the Minister of Amerindian Affairs about our concerns and arranged a meeting in Isseneru which they attended, together with the Guyana Geology and Mines Commission (GGMC), the Environmental Protection Agency and the Lands and Surveys Commission. The response was that the Ministers would look into the matter but we never received word back. As a next step we addressed the GGMC in order to have a cease work order issued towards the miner Joan Chang. This was done – twice – but as a result Chang chose to take both our Village Council and the GGMC to court.

We are deeply disappointed and worried with this ruling and what it means to our village and to Amerindian communities in general. On the ground it has serious environmental and social impacts for us. The miners have for example brought with them problems related to drugs and prostitution. At the higher level, we feel that when the High Court tells us that we have no rights to decide and control what takes place on our land, then the land is not ours. Why has the government given us this land when it has already given the same land to someone else? Just Friday, when inquiring at the office of the GGMC, we learnt that our whole land is covered with mining concessions. Yet, the government has not informed us about this. Taken together with the court's ruling, this teaches us that we have in fact no rights over the land that is said to be ours. The judge told us that we have to negotiate with the miners. But what negotiating power do we have after such a ruling?

For the Amerindian People of Guyana our case sets a grave precedent. It also serves as an example of how we are not protected by the Amerindian Act. The government says that it is a good Act, but the court ruling shows that this is not true, and it needs to be revised. We call on the government once and for all to recognise our right to full ownership of land and to respect our right to free, prior and informed consent regarding any development that will affect our lands.

Press release: Isseneru Village Council, 22nd of January 2012