

Inter-American Court of Human Rights
Case of Twelve Saramaka Clans v. Suriname

Affidavit of Dr. Robert Goodland

Expert Witness

Submitted by the
Victims' Representatives

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Affidavit of Expert Witness, Dr. Robert Goodland

I. GENERAL

A. *Please state your credentials:*

1. A brief CV is annexed and my full CV was previously submitted to the Inter-American Court of Human Right by the victims' representatives.
2. I served the World Bank Group as its Chief Environmental Adviser for 25 years, during which time I wrote most of its environment and social safeguard policies.
3. One of my main research interests has been dams and resettlement, particularly the long-term environmental and social impact of resettlement programs in connection with dams in tropical environments.
4. I led the environmental and social components of the World Bank missions in the 1980s to look into financing the Kabalebo hydroproject in West Suriname. This dam was not built, although there are discussions today about resuscitating the project. Also, while working on the social and environmental impacts of Brazil's biggest hydroproject, Tucuruí in the Amazon region, the Government of Brazil sent me to Suriname's excellent scientific workshop on the impacts of the Brokopondo hydroproject in 1978.¹
5. While employed by the World Bank group, I drafted its official policy on Tribal People/Indigenous Peoples, which was officially adopted by the World Bank in 1981/2. I fostered its implementation in World Bank-assisted projects thereafter.

B. *State the basis for the information contained in this affidavit:*

6. The most recent and specific information was gathered by me during a visit to Suriname between 4th-14th April 2007. During that time, I listened to affected people in half a dozen Saramaka Maroon villages and about a dozen small settlements or farms. I also inspected half a dozen active and inactive logging concessions between the Saramacca and Suriname rivers to the west of the Brokopondo (or van Blommestein) Reservoir, mainly in the Districts of Sipaliwini and Brokopondo.
7. I have been practicing my profession of social and environmental assessment for about 38 years, in Latin America and elsewhere. Therefore, the opinions stated herein

¹ Goodland, R. 1979. Environmental optimization of hydroprojects in tropical forested areas (pp.10-20) in Panday, R.S. (ed.) Man-Made Lakes and Human Health. (Proceedings of the 1978 Conference). Paramaribo, University of Suriname 73 p.

are based on my long professional association with and expertise about the issues I was asked to comment on. I also searched the literature (appended) to compare my observations with those published by other scientists. This provided corroboration for my findings.

8. Finally, I have worked on the environmental and social issues of indigenous and tribal peoples for six periods in Suriname since 2004.² During that time I met extensively with indigenous and tribal peoples and their organizations, with government ministries and agencies, with multinational companies operating in Suriname, with members of academia, and with members of Surinamese civil society. My most recent publication is on the social and environmental impacts of the proposed highway to West Suriname.³

II. ENVIRONMENTAL AND SOCIAL IMPACTS OF RECENT LOGGING OPERATIONS IN SARAMAKA TERRITORY

A. Have you personally visited and assessed the logging concessions that operated in Saramaka Territory between 1997-2003?

9. Yes. I personally visited logging concessions 324 (Ji Shen), 326a (Tacoba/Ji Shen), and 323b and 327 (Leysner), each enumerated and demarcated in the August 2006 map elaborated by *Stichting voor Bosbeheer en Bostoezicht, Ministerie van Ruimtelijke Ordening, Grond- en Bosbeheer* (SBB) (Suriname's Foundation for Forestry Management and Control).⁴

B. Did you find any evidence to indicate that an Environmental and Social Impact Assessment was conducted for these concessions and that a management regime was developed and implemented in relation to the logging operations?

10. No, to the contrary there was every indication that no impact assessment was conducted and that no management regime was applied. This was clear to me simply by looking at the way in which the logging operations were conducted and the state of the logged areas after the companies had ceased operations.

² Goodland, R. 2006. Environmental and social reconnaissance of Suriname's Bakhuis bauxite mine project. Paramaribo: *The Association of Indigenous Village Leaders in Suriname* (VIDS) & Ottawa: *The North-South Institute*: 52 p.

³ Goodland, R. 2007. BHP-Billiton/Suralco's Bakhuis Bauxite Mine Project A Review of: SRK's 10/06 Environmental and Social Assessment Transport & Scoping Document. Paramaribo: *The Association of Indigenous Village Leaders in Suriname* (VIDS) & Ottawa: *The North-South Institute*: 45 p.

⁴ See, also, *Official Response of the State of Suriname, Case 12.338 Twelve Saramaka Clans, Annex 1, Compact Disc*, 'Overview of Forest Use Rights in Central-East Suriname, October 2006'.

C. *What is your assessment of the social, environmental and other impacts of these concessions on the Saramaka people?*

11. The impact of logging concessions on the Saramaka people is traumatic and destabilizing. The first, and in many ways the most injurious to the whole society, is the psychological threat to Saramaka social structures, especially to the traditional authorities. The Saramaka people feel the forests on which they depend and have been using for several centuries belong to them. The Saramaka are a reclusive people who do not encourage outsiders to enter their territory. Having an outsider enter Saramaka territory without their consent feels like a violation to the Saramaka. Restrictions on free entry of outsiders are a means for the traditional authorities to care for and protect their people. If one enters without permission, traditional authority is undermined.

12. Therefore, when the Chinese logging companies suddenly entered the Saramaka forest unannounced, the Saramaka people felt violated. Permission to enter had not been sought, so the entrance was insulting to the traditional authorities. The traditional authorities were weakened in the eyes of their people who asked, how can our leaders permit Chinese loggers to enter our lands?

13. The second impact was the arrival of the National Army clearly in support of the foreign loggers and against the Saramaka. The massacres of Maroons during the civil war by the army are still fresh in the minds of the Saramaka. Although the heaviest fighting was in eastern Suriname, the Saramaka nonetheless suffered greatly during the interior war. In addition to massacres, a number of their villages were burned to the ground and their life was greatly disrupted during this period. Less than a decade after the civil war ended the army has now returned, this time to help Chinese loggers conduct highly destructive logging operations in the Saramaka forests. Even before the Chinese began damaging the forest, their presence with the army was deeply disturbing for the Saramaka.

14. In my view, the social, environmental and other impacts of the logging concessions are severe and traumatic. I come to this conclusion primarily because of the direct and on-going damage caused by the logging, so I briefly outline that damage below.

i) Impacts of Logging Roads:

Damage of Logging Roads on Farm Plots:

15. The logging roads were constructed as cheaply as possible. They were straight and did not take account of topography, nor of physical features such as rivers. No account was taken of Maroon agricultural plots in the design and routing of the main logging roads. Some six farms were severely damaged by the construction of one road alone in the Ji Shen concession.

16. In addition to Ms. Silvia Adjako's farms (3 in total), other farms that suffered major damage or destruction in the Ji Shen concession were those of Rhona Julieta,

Julieta Adjako and André Djaki. The significance of a wide road bisecting a small farm is that the fraction of the farm lost to the road is very high compared with the small farm area itself. A related significant issue is that by far the biggest expense of farming in Saramaka territory is the initial clearing of the forest in order to create the farm. If a farm is damaged or much of it is destroyed by a road, it is probably too expensive for the small farmer to afford to clear another farm plot unless the village helps.

17. The husband's job is to clear the plot for the wife to cultivate. However, some women don't have husbands, and even when they do have a husband, the husband's capacity to clear plots is limited as it is extremely arduous (and dangerous) labor. For a single woman it is an even greater challenge. It is difficult for a family to clear and cultivate a single 2ha. plot in a year. If the family has chainsaws and some physically active sons, the family might be able to clear two or more plots in a year but that would be exceptional.

18. Farm plots have to be abandoned and new plots opened every couple or three years or so, with the timing depending on soil fertility and other factors. If a cleared plot is damaged or destroyed, it represents a substantial loss because it is very expensive to recover. This impoverishes the whole village due the Maroon practice of exchanges among kin. Opening the forest to permit farming takes several years. All useable trees are taken back to the village as they become available. When the brush is dry enough to burn at the end of the less wet season, it is sometimes piled into windrows and burned so that the ash fertilizes the seeds which are planted directly into the ash, just before the wet season begins.

Direct Impacts of the Logging Roads:

19. Logging roads are usually about 20 meters wide to allow for two large vehicles to pass, so that many trees and much habitat are destroyed by the road bed itself. The trees are usually bulldozed aside into impenetrable piles: cracked, broken, scarred, unused and totally wasted. The major logging roads that I saw are about 15 Km in length, from the Brownsveg-Pokigron highway westwards to the Saramacca River. Each of these 15 km-long by 20 meter-wide roads have secondary logging roads at less than 1 km intervals, depending on where commercial stands of trees have been found. These secondary roads are narrower, about 10 meters wide, and may be several kilometers each in length. The end of each such road is the limit of the reach of heavy machinery. Commercial trees are cut near the base; as they fall, they smash smaller trees on the way before landing on the forest floor. The felling of a single large tree can bring down dozens of surrounding trees which are connected to the target tree by vines and lianas. The thinning of the protective canopy exposes the forest to increased sunlight and drying winds that kill symbiotic soil organisms essential for decomposition and nutrient-fixing, and dry out the leaf litter, increasing the forest's vulnerability to fire. This type of damage was present in all the concessions I inspected.

20. Further, the use of tractors for removing trees tears up the soil and increases erosion. Even selective logging has been found to reduce global biodiversity by

destroying habitat for primary forest species. The cut logs are then skidded by cable to the secondary road. Skidding itself scarifies the forest floor, ruining vast areas for wildlife, intensifying erosion and polluting the small creeks. The amount of forest destroyed just from the logging roads was substantial in the concessions that I viewed.

21. Waste from the loggers themselves was also damaging because the waste was not trucked back to the camp as it should be in a large operation. When the loggers stay the night in the forest all manner of sewage and food wastes accumulate. When vehicles are serviced, the spent oil is thrown on the forest floor and eventually finds its way into the creeks where it harms fish. Wildlife shuns such areas. Wildlife can hear vehicle vibrations and small engines and humans for long distances. This makes bushmeat scarcer for the villages. Logging roads and logging trails are accessible to “All-Terrain Vehicles” (ATV: also called “dune buggies”) after the logging has ceased. ATVs are often used in Suriname by illegal hunters and gold miners, *garimpeiros* during their work and for bushmeat hunting on old logging and mining/prospecting trails. They can be seen in use now on the Pokigron-Brownsweeg highway.

Damage by River or Creek Crossings:

22. The cheapest and most common method to traverse a creek or small river is to bulldoze dirt into the creek until vehicles can cross it. If the current of the creek is strong enough to wash the dirt away, the creek is first filled with big tree trunks laid transversely which are then covered with dirt and compacted with heavy machinery. This is the most common method used in Tacoba/Ji Shen’s logging roads in concessions 324 and 326a, which I inspected in April 2007. There are 12 creeks dammed in this way on the first (eastern) segment alone of the logging road on the west side of the main highway.

23. The impact of such “bridging” (blocking of water courses) is significant. Upstream of the blockage, water accumulates and kill the forest within a few months. Downstream, the forest formerly dependent on the river dries out and dies. Thus for every river crossing there is an extensive area of dead forest in the flooded area above the logging road, and a smaller but still extensive area of dead forest downstream in the dried out area. The dried out area also is subject to fires. The flooded area above the barrier becomes a breeding ground for mosquitoes.

24. The areas of forest killed by flooding and by drought vary with the volume of the river or creek thus dammed and by the topography. As the topography in the inspected area is rather flat, the forest areas killed are likely to be up to one square kilometer in areas upstream of the logging road; roughly half that in the desiccated area downstream from the road.

25. As there are sizeable creeks every kilometer or so along the Ji Shen logging roads, as in all rainforests worldwide, the forest killed by the roads is extensive and the impacts ongoing even when the logging has ceased. There is little value in dead flooded forest and in dead desiccated forest. These negative impacts are well-known and are usually prevented by putting culverts into the river crossing before making the logging road.

This costs more money and reduces profits and has not been done in the case of Ji Shen's logging road. To cross bigger rivers, a bridge may be needed, but none were seen on Ji Shen's logging road.

26. As seen in the concessions I inspected, the main impact of blocking creeks is the death of large areas of forest by the processes mentioned. Other impacts are that water necessary for drinking, cooking, washing, irrigation, watering gardens and catching fish is not available. This means that the people formerly using that creek have to walk substantial distances to access water. This makes life much more expensive and less healthy. Subsistence farms become less productive or so unproductive that they have to be abandoned. This, in turn, means that a new forest plot has to be cleared for the new farm, which is the single most expensive activity in the farming cycle.

ii) Use of the Military to Support the Ji Shen Logging Company

27. Ji Shen set up a camp in its concession about 12 km. up the logging road. It comprised about seven steel containers which housed both administrative facilities and 30-50 Ji Shen laborers over a three year period (1999-2002). An army detachment of six soldiers was stationed at Ji Shen's logging camp for six months rotations. Although the army does not contain many Maroons, three of the soldiers were Saramaka Maroons who were identifiable and known to Saramaka persons living in the area. They were among those ordered by their military commanders in Paramaribo to provide support to the Ji Shen's logging company. My research indicates that the soldiers wore normal Suriname Army uniforms; carried Suriname army issue firearms (rifles), possibly including heavy weaponry; that they were transported to the Ji Shen logging camp by army transport; and they were sustained by Army rations, also delivered in military vehicles. The soldiers did not believe they were off-duty. On the contrary, they felt being stationed at Ji Shen's logging camp was their normal army duty.

D. Suriname has stated that while it does not have environmental laws and norms in force, including requirements concerning environmental and social impact assessment, that it nonetheless applies World Bank standards with regard to these matters. As you wrote many of the World Bank standards and have been involved in assessing such impacts in Suriname over the past three years, can you briefly explain whether there is any evidence that World Bank standards were applied in relation to the logging operations you inspected?

28. From my April 2007 inspection, I can state that Tacoba and Ji Shen's logging operations in concessions 324 and 326a violated all five of the World Bank's relevant policies listed below, together with very brief mention of specifically how they were violated.

- (a) **Environmental and Social Assessment** (OP 4.01): This process has to be completed and the documents disseminated to stakeholders well before permits are given to start construction or operations.

- (b) **Natural Habitats** (OP 4.04): The ecosystem logged by Tacoba and Ji Shen is classified as Tropical Wet Lowland Forest, which is so sensitive according to the World Bank's policy that special precautions have to be in place before the project can be permitted.
- (c) **Indigenous Peoples** (OD 4.20, now replaced by OP 4.10): This policy mandates special precautions to be implemented if there is *prima facie* evidence that indigenous or tribal peoples may be impacted.
- (d) **Forestry** (OP 4.36): The goal of this policy is to ensure that the forestry operation will reduce poverty, will promote sustainable development, and will foster restoration and tree plantations. As Tacoba and Ji Shen extracted the most valuable species of trees, damaging many others and abandoning the rest, the project was unsustainable, failed to create jobs for the people, did not reduce poverty, and failed to obtain any goods and services from the Saramaka. On the contrary, at least half a dozen Saramaka farms were destroyed in the Ji Shen concession alone.
- (e) **Information Disclosure Policy**: Most of the results of following the above policies have to be disclosed in a timely manner and in a form accessible to potentially impacted stakeholders well before the logging project is permitted. Little if anything was disclosed until the logging machinery began bulldozing the forest.

E. *Does what you saw in the logging concessions you inspected constitute 'industry best practice' with regard to social and environmental issues? If not, how would you describe what you saw in relation to either 'best practice' or 'minimum acceptable standards' for logging operations?*

29. No, the Tacoba and Ji Shen operations I inspected in April 2007 were not best practice, nor average industry practice. Logging was carried out below minimum acceptable standards for logging operations. I would say it was among the worst planned, most damaging and wasteful logging possible. "Worst planned" because there seems to have been an absence of any planning at all, and there was no consultation with the potentially impacted people. "Most damaging" because there seems to have been no attempt to build the main logging road to avoid the existing farms, and no attempt to remove the blocked streams, creeks and rivers. "Most wasteful" because very few species were extracted, only the most expensive species. Many of the less commercially valuable species were damaged or killed during extraction.

F. *Have you seen the map of Saramaka occupation and use of lands and resources produced by the Association of Saramaka Authorities with the assistance of Dr. Peter Poole? If so, can you explain what conclusions can be drawn from this map?*

30. Yes, I have seen the map. For me, the map proves that the Saramaka are using practically all the forest at various levels of intensity, and for specific and different purposes, and have been using the forest for a long period. My visits to half a dozen Saramaka villages showed me that the Saramaka depend almost totally on the forest for much of their livelihood. These people sustainably collect all manner of subsistence resources from the forest such as building materials, thatch for roofing, weaving materials

such as rattan, wood for canoes and furniture, non-timber forest products (NTFP), such as fruits, seeds, plants used in cooking (for food, flavor, preservatives, spices) decoration, or for sale such as orchids, resins, glues, rope & twine, medicinals, fungi/mushrooms, honey, bushmeat, companion animals, pets for sale (e.g., parrots, songbirds), basketry materials, fish-trap weaving materials, fish-stunning vines, and many other resources.

31. The forest is very heterogeneous to the Saramaka although it may look homogeneous to outsiders. The Saramaka categorize forest depending on what they use it for. Marshy forest, for example, is good for some pursuits for which ridge forest or slope forest or sandy forest may be useless, and vice versa. The forest that the Saramaka use for their livelihoods, such as forest that supply the mentioned NTFP, remains viable and undestroyed even when sustainably logged by the Saramaka. When the Saramaka log in their forest, they are extremely careful not to damage young trees and vital plants, and they would never destroy a farm. I saw this clearly in the concession previously worked by Captain Cesar Adjako.

32. The forests I inspected adjacent to the logging concessions and those further upstream on both sides of the Suriname River were being used sustainably by the Saramaka. However, sustainability in tropical forest use is precarious at best. Tropical forest sustainability is a knife-edge balance between human population pressures sustainably using the forest on the one hand, and removal of forest from Saramaka use due to damage, such as by Ji Shen's logging, on the other hand. If the human population increases, or if the available forest decreases, or is denied for use (for instance, through the logging practices employed by Tacoba and Ji Shen), then sustainability can easily be lost.

33. I saw many children in Saramaka villages; all of them seemed active and healthy. The few houses I looked into did not contain any sick children, nor did the clinics. This suggests that the Saramaka population is more likely to be increasing than decreasing, which will intensify pressure on the forest. Thus, any forest removed from Saramaka use will exacerbate pressure on the remaining forest and the resource base that the Saramaka depend on for their basic needs and well-being.

G. Do you know how much timber was extracted from Saramaka Territory and what its approximate market value may be?

34. I reviewed the annual statistics produced by the Suriname Forest Management Foundation for the years 1999-2006.⁵ Some of the annual statistics did not specify which company declared timber from specific concessions, they either listed the total timber production declared per export destination (i.e., China) or some years did specify timber

⁵ Suriname Forestry Management Foundation: *Forest Statistics 1999-2000*; *Forestry Statistics: Production, Export and Import of Wood Products 2001* (July 2002); *Forestry Statistics: Production, Export and Import of Wood Products 2002* (May 2003); *Forestry Statistics: Production, Export and Import of Wood Products 2003* (August 2004); *Forestry Statistics: Production, Export and Import of Wood Products 2004* (August 2005); *Forestry Statistics: Production, Export and Import of Wood Products 2005* (June 2006).

production declared by specific companies. On this basis, I was able to estimate that Tacoba and Ji Shen jointly exported in the range of 62,707 cubic meters of high value tropical hardwoods with a declared export value of US\$9,788,708.00. This is most likely an extremely conservative valuation of the amount and value of timber extracted from Saramaka territory due the very common practice of under-reporting and mis-reporting log production. Additionally, there were large amounts of timber abandoned and rotting inside the Ji Shen and Tacoba concessions, some of which was valuable cedar timber. This should also be factored into the equation as well.

35. Timber production in the Leysner concessions is relatively straight forward as the government statistics specify exactly how much timber was declared by D.W. Leysner: 1,773 cubic meters in 2004⁶ and 1,431 cubic meters in 2005.⁷ These statistics do not however specify what kind of timber nor what the declared value might be. Presumably this will be recorded somewhere as the logging company will have to pay royalties and taxes to the State. If we take a conservative value of US\$35.00 per cubic meter, we can estimate that the value was at least US\$1,121,140.00.

III. THE IMPACTS CAUSED BY THE AFOBAKA DAM AND RESERVOIR ON THE SARAMAKA PEOPLE

A. First, please briefly explain the Afobaka dam project.

36. Afobaka is one of the names for Suriname's only hydroelectric dam project, which created an enormous lake nearly 2000 square kilometers in surface area. Afobaka was one of the first major hydroprojects in the world to be built in a tropical ecosystem. It was built by Suralco, Alcoa (Suralco's US-based parent company) and the Government of Suriname between 1959 and 1964, and started generating electricity in 1965. It provides some of Suriname's domestic electricity needs and directly powers a bauxite refinery owned by Suralco.

B. What is the extent of your involvement with Afobaka?

37. (a) In 1978, while I was working for the Government of Brazil's biggest hydroproject (Tucurui in Amazonia), it sent me to participate in Suriname's excellent international workshop on the social and environmental impacts of the Afobaka hydroproject. (b) In the early 1980s, I was sent to Afobaka as part of the World Bank's mission to evaluate the proposed Kabalebo Hydro scheme in West Suriname. (c) More recently, on the 2 September 2005, I visited the Afobaka hydro project with a group of about 30 potentially dam-affected indigenous people from West Suriname in order to

⁶ Suriname Forestry Management Foundation, *Forestry Statistics: Production, Export and Import of Wood Products 2004*, Paramaribo, August 2005, p. 10.

⁷ Suriname Forestry Management Foundation, *Forestry Statistics: Production, Export and Import of Wood Products 2005*, Paramaribo, June 2006, p. 10.

learn about the impacts that persisted after 30 years. We also attended a detailed lecture from Suralco officials, and then we listened at length to more than 100 Saramaka Maroons, who had been displaced by the Brokopondo reservoir. (d) In April 2007, I further discussed some of these impacts with members of the displaced Saramaka communities.

38. In the early 1980s, as a member of the official World Bank missions to Suriname, I inspected the Brokopondo hydroproject in detail in order to learn what could be expected if Suriname's proposed Kabalebo hydroproject went ahead. There were numerous problems and only then, were *post hoc* scientific studies begun. Among other things, a plague of waterweeds and decomposing biomass eventually generated poisonous gas killing many fish and rendering the water unfit for drinking, bathing, and even laundry. The gas even started to kill fish in the Suriname River all the way to the ocean, 80 km downstream. Fish is still rare as food for the displaced Saramaka and mercury levels in fish exceed safety standards. Malarial mosquitoes found refuge in the water weeds from the larval-eating fish, so malaria spread.

C. In general, what are the effects of involuntary resettlement on Indigenous and Tribal Peoples? For example, what have World Bank and other studies concluded about the impact of involuntary resettlement?

39. Worldwide, human displacement and resettlement has never worked very well. Involuntary resettlement is not subject to the normal laws of standard market economics, namely willing seller and willing buyer. Coercive or involuntary resettlement means force is used to keep the compensation amounts as low as possible. Hence, the people displaced almost invariably become poorer as a result of their move. In this case, poor Saramaka communities subsidized the generation of power for distant city consumers, and bauxite refining and smelting. Saramakas were impoverished so that bauxite could be made fractionally more profitable.

40. All studies show that the most vulnerable category of people to be displaced is indigenous and tribal peoples. Nowhere in the world have such societies been displaced and resettled successfully. They are worse off after their move for compelling anthropological and other reasons. The damage to the social fabric of displaced indigenous and tribal peoples is so great that international development standards and best practice require relocating or modifying a project rather than forcibly displacing these peoples. For example, the new World Bank Operational Policy 4.10 on Indigenous Peoples of May 2005 and the International Finance Corporation's Performance Standards on Indigenous Peoples and on Resettlement all contain strong protections against any forcible or involuntary resettlement of indigenous peoples. This includes protection against economic displacement (loss of productive assets) in addition to physical displacement. Indigenous and tribal peoples' agreement or consent is required for any resettlement, as it is in international human rights standards, and thus it is impermissible to involuntarily resettle these peoples.

41. All of the typical negative impacts on indigenous and tribal peoples documented in the literature about resettlement and indigenous and tribal peoples are present in the case of the Saramaka people and the Afobaka dam. Indeed, it can be cited an example of how not to build a dam on both environmental and social grounds.

D. Please explain what the main impacts of the Afobaka Hydro project have been on the Saramaka people?

42. By far the most damaging impact of the Afobaka hydroproject was the displacement of the mostly Saramaka communities from their ancestral lands. All told, Brokopondo reservoir drowned 1600-2000 square kms of pristine tropical forest and roughly half of traditional Saramaka territory was annexed for the reservoir and ancillary infrastructure. Many Saramaka were resettled in sites which were later also going to be flooded because the extent of the future reservoir had not been adequately surveyed and so no one knew exactly where its shoreline might eventually be. The people originally resettled to where the waters would rise were eventually told to go further away, forcing them to relocate not once but twice.

43. The Saramaka thus lost their two most important means of livelihood, namely access to forest for their food, shelter and medicinals, and access to the river for their food, communications and transport. Having to move suddenly from their historic traditional communities was traumatic enough; having to move twice within a few weeks and months was much worse. They did not even have time to take care of their cemeteries. When the corpses of their ancestors floated to the surface and washed up on the shoreline, their pain and suffering intensified. The tragedy of displacement of Saramaka from the reservoir has not been adequately documented, yet what accounts exist are shocking.⁸

E. Can you explain what happened when the Saramaka people were displaced by the Afobaka dam? For example, was 'best practice' followed and what kind of resettlement assistance was provided to those personas and communities displaced?

44. As I said above, by far the biggest impact of Afobaka was the displacement of about 6000 Maroons (mostly Saramaka and some N'djuka) that formerly lived along the Suriname River and its tributaries. The tragedy is that these seems to have been little or no thought to what would happen to the people displaced by the reservoir. As most of the oustee's new villages are located away from the river and away from their traditional

⁸ The best is: Landveld, E.R.A.O. 1989. *Ganzë: Het dorp dat het meer verdoank*. Paramaribo, Bureau Conas 183 p. [republished by: Drukkerij Nout B.V. in Utrecht]. See also: (a) Franszoon, A. 1976. A preliminary investigation of social conditions in Suriname's "Transmigration Villages". Paramaribo, Surinam Museum Foundation, Mededelingen 19/20:pp.10-21. (b) Knoblauch Díaz, B. M. 2006. Land rights conflicts in Surinam and customary land rights in Maroon transmigration village. Wageningen, Wageningen University, MSc Thesis, 68 p. (c) Pandey-Verheuvél, K. P. 1982. Future impact on water quality and life in the Suriname river. Paramaribo, Min van Opbau, Min Ow & V/WLA, RA-PA83-1: 28 p. (d) Sahdew, S.A. & Ouboter, P.E. 2003. Destruction of the tropical forests of the Guianas. Paramaribo, IBER, Institute for Biodiversity and Environmental Education & Resources 38 p.

forest, the two mainstays of the Maroon society have been lost. Fish and forest resources were not replaced by other means of livelihood, so unemployment is very high, and quality of life very low. Displacement by the reservoir converted once dynamic and independent Maroon communities into traumatized and dysfunctional communities. The new villages have been abandoned by those youths able to obtain work in Paramaribo or elsewhere, leaving mainly elderly people in the villages. Frankly, the villages of the Maroons displaced by Afobaka are dysfunctional even now -- four decades after being displaced.

45. Displacement eroded the fundamentals of Saramaka society in several ways. The Maroons looked to their leaders to protect them from harm. It looked as if their leaders were powerless to stop the filling of the reservoir. The oustees were forced into camps without regard to their kinship affiliations. Families and ethnic relationships were shattered by such splintering, and the lack of regard shown for societal structures. Social support groups vanished. Most people lost their dwellings, their home-gardens, fruit trees and their agricultural plots. Food became scarce. A once plentiful resource, water, became scarce and expensive in terms of the time and energy needed to fetch it. Wells were eventually provided for some resettlement camps, but many of these are contaminated today. Hygiene became difficult. Health suffered. Schooling was abandoned for a while.

46. Government authorities did not respect the traditional authorities, and there is scant evidence that there was an attempt to meaningfully consult with them about the dam or resettlement. Traditional care for their people by Maroon leaders seemed to be forgotten. The new authorities evicting the people from their ancestral homes by the reservoir seemed to be much more powerful than their traditional leaders. Leaders were shamed by the new and extremely powerful dam-related authorities. Dam-related authorities did not plan very carefully and did not seem to care for the displaced people. Forcing some displaced communities into sites that would soon be flooded as the waters rose in the new reservoir attests to the lack of planning and care.

47. The displaced people, once self-sufficient, dignified and independent, became dependent on the new dam-related authorities. Eviction had stripped the people of their livelihoods (e.g., food and water), and disrupted the care formerly provided by traditional leaders. As far as I was able to learn, there was little or no compensation of any kind for the major losses caused by the reservoir. Displacement debased the once independent society into supplicants for their livelihoods. Oustees became dependent on the new powers for food, water, dwellings and practically everything else.

48. Through the years, some building materials were provided and some assistance came to dig water wells. The most widespread complaint expressed during our September 2005 visit to several resettlement villages was that promised jobs never materialized. Expectations had been raised that all would be well because much employment would be created so all families would earn money with which to buy food and other necessities. The complaint voiced to us was that very few jobs had been created. The other complaint was that the displaced people did not receive clear ownership rights to their new areas, as

should have been the case after long possession and use of the lands they occupied. We saw a demoralized people during our visit in 2005, forty years after they had been displaced. The society is dysfunctional even today after such a long time; the society has not healed.

49. You ask if the Afobaka dam and the associated resettlement programme can be considered 'best practice'. The answer is clearly no and the ongoing and negative effects of both continue to cause significant harm to the Saramaka today.

F. Are any of the general impacts identified above evident today with regard to the situation of the Saramaka people displaced by the Afobaka dam?

50. Yes. As mentioned, the displaced Saramaka were suddenly transformed from a dignified, integrated and independent people into indigent supplicants. The oustees became dependent on the occasional goodwill of the dam authorities. The oustees lived on promises most of which remain unfulfilled today. In many of Afobaka resettlement camps that I have seen, most of those able to find employment elsewhere have long since done so, leaving the elderly to subsist as best they can.

G. Has the displacement of the Saramaka by the Afobaka dam affected contemporary Saramaka subsistence practices and their ability to sustain themselves from their remaining land and resource base?

51. Again, sadly yes. As mentioned, because 1,600-2000 ha., of forest on which they depended was suddenly removed from Saramaka use, their lives inevitably become poorer and harsher. Because the river and creeks which provided drinking, transport, and fish is suddenly withdrawn, people become immiserated.

H. Did the displacement have lasting social and cultural impacts on the Saramaka people?

52. Yes. A brief visit to the dysfunctional resettlement camps around Afobaka shows the dependency syndrome, apathy, poverty and communities dominated by the elderly because most of the young have left. Few people were dynamic and well-nourished during my 2005 and 2007 visits. I would attribute some of this to the fact that the displacement of the Saramaka divorced them from their kinship-based relations to their lands. In effect, they moved to a place without the social and spiritual framework which they understood because the displaced communities no longer functioned within a system of clan ownership of land and the kinship, social and economic relations that are embedded in that system. They became truly homeless in all senses of the word and they must have had a great deal of difficulty making real sense of their situation.

53. The fact that they do not have secure land tenure now – which is always one of the fundamental aspects of resettlement operations – coupled with intrusive gold mining operations in the area where they now live has created a profound sense of insecurity

among those who remain in the resettlement areas, and this is undoubtedly a major cause of community members leaving for Paramaribo and elsewhere.

54. In short, I would say that the displacement, apart from the ongoing material impacts caused by loss of large percentage of their land base, is directly responsible for the destruction of the displaced communities in the Brokopondo District as collective and cultural entities. The displaced communities on the Upper Suriname, while not without problems, are in a much better situation socially and culturally.

IV. THE POTENTIAL IMPACT OF THE TAPANAHONY/JAI KREEK DIVERSION PROJECT ON THE SARAMAKA PEOPLE

A. *Have you reviewed documents and studies pertaining to the proposed Tapanahony River/Jai Kreek Diversion project?*

55. I have been unable to see official plans for the Tapanahony/Jai Creek diversion. The government says that this project is not active and that the plans are too tentative to be released. The comments below are therefore based on secondary sources, newspapers and web-sites.

B. *Can you briefly explain what this proposed project will entail?*

56. River diversions and hydro schemes, which divert water from one or more rivers in order to augment flow in the third river, are being considered to boost Afobaka reservoir's water level. Alcoa/Suralco has proposed to divert the Tapanahony and Jai Kreeks into the Suriname River in order to raise the level of the Brokopondo reservoir, boosting electricity generation.

57. The Jai Kreek/Tapanahony diversion looks likely to provoke major involuntary displacement of indigenous and tribal peoples, including the sizeable indigenous community of Palumeu, at the confluence of the Palumeu River with the Tapanahony. The Wayana and Trio indigenous peoples may be severely impacted, as may numerous N'djuka Maroon communities on the Tapanahony River. The canal and construction road planned to connect Jai Kreek also is likely to cause significant impacts.

58. The water level of Afobaka reservoir itself must be raised in order for the hydroproject to generate more electricity. But many people are now living on the edge of the reservoir. Any rise in water levels will impact lake-side Saramaka maroon communities, including those that previously lost their lands to the Afobaka dam. The five main villages at risk (Piki Pada, Duwater Baikytu, Dekio Kondre and Banafoo Kondre) support about 5000 people.

C. If this project is implemented, would you expect adverse impacts and/or irreparable harm to the Saramaka people?

59. Clearly, yes. Many of these people have been displaced from their ancestral lands by the filling of the reservoir in the mid-1960s. There was no meaningful consultation and the oustees did not consent to be removed. This would be the third time these people have been forcibly displaced with many of the same consequences.

D. Would you expect that the project will compound and exacerbate the harm suffered by the Saramaka in relation to the Afobaka dam?

60. Yes. As mentioned above, being uprooted once in a lifetime is exceedingly traumatic for tribal societies. Being forced to move two or three times is unprecedented in my experience and would be exceptionally damaging. The cumulative impacts, especially social, mental, psychological and physical stress, are likely to be severe.

V. REPARATIONS

A. In your view, how severe are the environmental, social, cultural and other damages and harm experienced by the Saramaka in connection with logging and their forced displacement?

61. Worldwide, I have rarely seen such severe damage to a tribal people or ethnic minority. This is not to say that others have not suffered more, but this is not really the point. The Saramaka are a unique people and culture that are not found anywhere else in the world. If they lose more territory, it would be no exaggeration to say that they will face a substantial risk of irreparable harm to their physical and cultural integrity and survival.

B. Would you say that the Saramaka people have suffered irreparable harm in relation to logging and the ongoing effects of their displacement due to the Afobaka dam?

62. The fact is that the harm caused by displacement by the Afobaka reservoir is ongoing and has not yet been repaired, forty years later. Can the livelihood of the oustees be improved? Clearly yes, given political will and enough money. But even if the harm is repaired overnight, these people will have lost forty years of normal livelihoods and the cultural integrity has been severely damaged. That loss of 40 years of 'normal' livelihoods is irreparable as is the damage to their cultural integrity.

63. The harm from logging also is severe, both directly to the farmers whose farms were partly destroyed, and directly to the forest and its resources lost to the logging and to the Saramaka who collectively depend on the forest. More Saramaka depending on less forest means sustainability is reduced and the available resources are spread thinner. To that extent, Saramaka society is worse off. However if allowed to fallow, the forest will regenerate itself slowly. After 50 years it will be difficult to detect that Ji Shen's logging

occurred. The same cannot be said however for the flooding caused by the dam, which is irreparable and, as of yet, unmitigated in terms of the threats posed to the Saramaka's means of subsistence and their ability to freely determine their own development choices.

64. Equally significant is the social and psychological reminder that the Saramaka have no rights. The logging reminds Saramaka that the government can penalize them as it did during the civil war. Logging by outsiders is harmful enough, but logging supported by the army constitutes a massive threat to Saramaka society. Army-supported logging is worse than intimidation. Such contemptuous treatment creates a sense of inferiority and exacerbates feelings of helplessness. How much aggression will break one's spirit? The logging opens the barely healed wounds accrued during the relatively recent civil war, wounds that are deeply embedded in Saramaka people's psyche dating back to the days of slavery. Logging shows that Saramaka still do not have any rights over the forests they have possessed and sustainably used for centuries. This translates into a feeling that the Saramaka have no control over their own lives and livelihoods.

C. In your view, would it be appropriate to award the Saramaka people compensation for the timber taken from their lands and for the loss of their subsistence resources due to logging and the flooding of their territory by the Afobaka dam?

65. Compensation would be more than appropriate for the losses and damages from logging and the ongoing damages caused by the displacement due to the Afobaka dam. Compensation can indeed work for physical damage and loss. The term 'compensation' covers many mechanisms, of which a one-time cash payment is the least effective in many respects. Formalizing perpetual titles (e.g., communal, collective titles, customary land rights) to the lands and resources the Saramaka have traditionally owned or possessed would help greatly in this regard. Legal recognition of and respect for Saramaka traditional governance systems also is needed. The specifics of the long overdue compensation and reparations to the Saramaka people for their forced resettlement from Afobaka and the more recent loss of forest resources is fundamentally important for their livelihoods and for their moral and mental integrity.

D. Have the Saramaka suffered other damages in relation to the logging and/or the ongoing effects of the Afobaka dam?

66. Yes. As I have mentioned in my view, (a) the societal damage, (b) the undermining of the care and authority of the traditional leaders, (c) the reminder that the Saramaka do not have rights over their resources, and (d) the fear induced from use of the army can exceed the damage from loss of logs and displacement. In addition, forest will regenerate itself in some decades if allowed to fallow and if the creeks are unblocked. Although displacement has caused a permanent loss of one generation (forty years) of livelihood, the losses can theoretically be rectified. The four categories of damage (a) through (d) above are on-going and in some ways exceed the more physical harms suffered.

E. In your view, in light of the logging operations that took place in their territory and the loss of their lands due to the Afobaka dam, would it be reasonable to conclude that the Saramaka have suffered harm to their moral integrity?

67. Yes. They have suffered and continue to suffer from disrespect, fear, intimidation, and the erosion of their own internal governance procedures and authority. The recent use of the army reinforced the fact that the Saramaka continue to be threatened by external forces, and that they still have no rights over the land and water resources they have been using for generations. Moreover, the Saramaka have certainly suffered harm to the integrity of their society and to their internal governance mechanisms.

Signed on this the 30th day of April 2007,

Dr. Robert Goodland

Box 1 - Historical Perspective: Four Traumas to the Maroon Ethnic Minority

The current logging damage on which the Inter-American Court is focusing must be seen in context from the perspective of the Maroon society. This society has been plagued by massive traumas through the years of which the damage to the forest on which they depend is only the most recent. Had the Maroons not been subject to such tremendous damage in the past, the logging would still be significant, but not as fundamentally traumatic and shattering as it is in this case for historic reasons. Psychological, social and mental wounds take far longer to heal than bodily wounds. Maroons have been traumatized to such a deep extent that they remain suspicious and wary of outside forces, such as the army. I allude to four main traumas derived from decades of severe mental stress and physical abuse.

First trauma: The Maroon society started off being traumatized by slavery, by the deadly voyage from Africa to Suriname, and by the bestial conditions of the slavery. The Maroons must have had an indomitable spirit as they managed to escape from slavery and managed to survive in forests so remote that the colonial authorities could not catch them. Most slaves did not succeed in escaping.

Second trauma: This tragedy occurred between 1959 and 1965. The Maroon society had been living peacefully with little or no contact with other Surinamese since the abolition of slavery in 1863 (See Chronology). In 1959, the first massive intrusion into heart of Maroon territory began. Camps for about 2000 Brokopondo hydroproject workers were built in Maroon, mainly Saramaka & N'djuka, territory. Later, the reservoir started to fill, forcibly displacing about 6000 Maroons with no plans to accommodate them adequately. This deracination was extremely harmful to the Maroon society (see Afobaka section below) because 6000 people is a large fraction of the entire ethnic group, which could have been 20,000 (guesstimate) at the time.

Third trauma: Suriname's "Interior War" of 1986-1992 (see Chronology) killed more Maroons than any other ethnic group. Maroon society was the main target of most killing. In addition, literally thousands of Maroons became refugees in French Guiana and the Netherlands. Although the Maroons had long felt they were discriminated as second class citizens, the civil war reconfirmed and made blatant, in their opinion, that the Suriname government had no qualms about persecuting and killing Maroons.

Fourth Trauma: After 1992, the Maroons began to be left alone again, although they were largely excluded from Suriname society and benefits. But the fourth trauma smashed the maroons soon thereafter, namely the rapacious logging of their livelihood forest by Chinese supported by the national army, starting in about 1996, without being informed, much less consulted or consenting.

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2006 Libya: National Environmental Action Plan for "Sustainable Libya"
2006 German Govt (GTZ): Mauritania Oil & Gas Sector: Environmental and Social Assessment
2006 Canada: Mackenzie Valley Gas Pipeline (Imperial, Shell, Conoco-Phillips): JRP/WWF
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2004 Brazil: Belo Monte (Xingu) Hydro ESA review
2003 Peru's Camisea Gas Pipeline
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2002 Venezuela Gas Pipeline: ESA design and Panel of Experts
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2001 – 2003: Extractive Industry Review of the World Bank Group's oil, gas and mining investments

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