

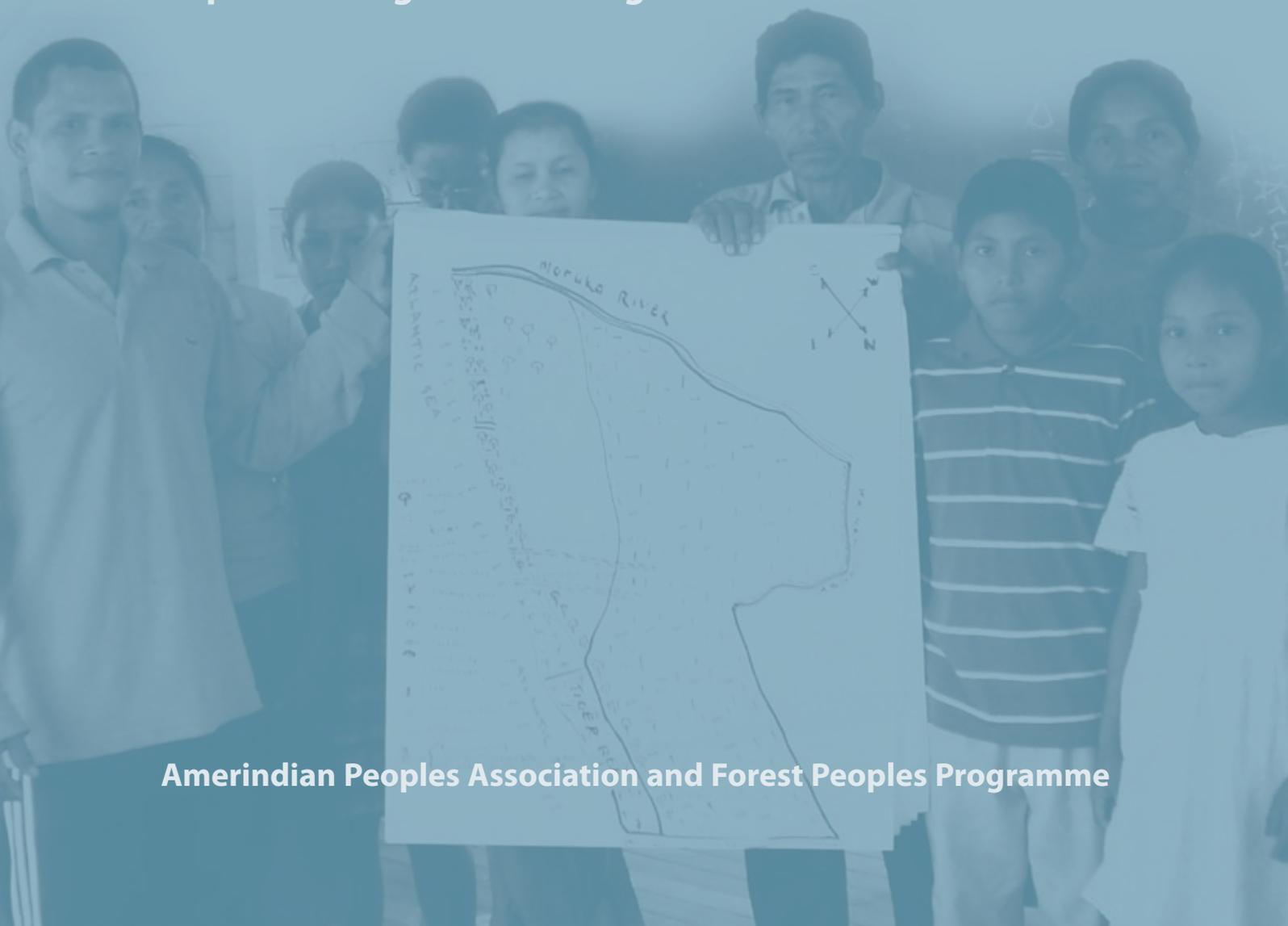


WOW-RORAH, WA-KAKOH NA'NA NONORI, NA'NA EMAMIRI CA HOTA, MA TAHO

OUR LAND, OUR LIFE

A Participatory Assessment of the Land Tenure Situation
of Indigenous Peoples in Guyana

Report for Region 1 and Region 2



Amerindian Peoples Association and Forest Peoples Programme

Our Land, Our Life: A Participatory Assessment of the Land Tenure Situation of Indigenous Peoples in Guyana

Report for Region 1 and Region 2

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FOREWORD

The Amerindian Peoples Association (APA) was established in 1991 to promote and defend the rights of indigenous peoples in Guyana. Since the start of its work, APA projects and activities have highlighted the need for better protections for the land, territorial and resource rights of our peoples. However, over the years and in the face of these claims, many government officials, including those working with the former Ministry of Amerindian Affairs, have said that there were no land conflicts affecting our villages and communities. Even in high level meetings including at the United Nations Permanent Forum on Indigenous Issues, former officials of the Guyanese government have reported that land tenure rights were not a matter for concern. The same was told to some donors including the World Bank. While consistently maintaining that there were indeed problems, the APA was publicly accused of misleading the nation and the international community.

Given this state of affairs, our members present at the APA General Assembly in 2011 mandated the organisation to conduct an assessment of indigenous peoples' land tenure security across the country in order to provide detailed information on the land rights situation. After several years and much fieldwork, this report contains the results of the first part of this important task given to us by our members. It contains the findings of the work in 42* villages and communities in Region 1 and Region 2.

This information gives solid evidence on a case by case basis. The assessment highlights how many villages and communities in Region 1 and Region 2 continue to suffer land and resource conflicts with miners and loggers and are not happy about insecure land rights. Problems with the current national arrangements for titling and demarcation of indigenous peoples' lands and territories are also brought out clearly in this land tenure survey.

It is intended that this assessment and its results will be useful in village and community struggles for security of their lands. We are also hopeful that it will inform and provide baseline information for national projects and programmes such as the Amerindian Land Titling Project (ALT) funded by the Kingdom of Norway and implemented by the United Nations Development Programme.

The time is now ripe for positive change. Our peoples in Guyana have waited since independence from Britain to obtain full justice and secure legal rights and recognition for their lands. In this regard, APA welcomes recent positive statements and commitments made by the President of Guyana on the administration's plans to work towards resolving land tenure issues. We especially welcome commitments to amend the Amerindian Act of 2006 so it is fully in line with our land rights as protected in international law. We hope the findings and specific recommendations on changes needed in law and practice can also help with the upcoming legal reform process.

Meanwhile, APA has completed its land tenure assessment fieldwork in Region 8 and we hope to publish the results as soon as we are able, as part of our deep commitment to promoting secure land rights for indigenous peoples in this beautiful land of Guyana.

Mario Hastings, President – APA

November 2016

* White Water in Region 1 was also visited by the LTA team. Unfortunately, the input form information for this settlement has not been recoverable from the APA database. Efforts are being made to retrieve the information. If it can be recovered, the information will be compiled and published in due course.

ACKNOWLEDGEMENTS

Moruca Sub-region, Region 1

In **Santa Rosa Village** the LTA team wishes to thank the Village Council and Toshao Richard Cornelius, Councillor Ronald Benjamin of Kamwatta satellite and the residents of Santa Rosa and Kamwatta who provided interviews: Stephanie and Aloysius Torres, Margaret Abraham, Elini La Rose, William and Antonia Atkinson, Hilda Phillips, Eugene and Flora La Rose, William Henry, Theodore Edwards, Bonifacio and Gabriella Torres, Emmanuel Torres, Michael Cornelius, Lyton Williams, Yvette Edwards, Simone Fredericks, Timothy Mendonca, Ephania Atkinson, Valentine Benjamin, Phyllis Cornelius (deceased), Michael Cornelius, Mavis Thornhill, Evelyn Thornhill, Magdalene Henry, Denis John, Doris and George Romascindo, Leonard Hosay, Gabriel and Ana Edmonson, Compton Edmonson; James Henry, Rachael Domingo, Tyron Henry, John Benjamin, Aquinas Henry, Hillary Bumbury, Philomena Bumbury, Emelda Alphonso, William Henry, Hillary Benjamin, Everard Benjamin, John Domingo and Lewis Domingo. The LTA team also thanks Stephanie Torres, D. Benjamin and the staff at the Kamwatta Guest House who supplied meals and accommodation and Mavis Edwards who acted as guide.

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Mabaruma Sub-region, Region 1

In **Yarakita Village** the LTA team gratefully acknowledges the help of Alvin Daniels, John Flores, Emelda Emmanuel and the health worker.

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In **Barabina** the LTA team thanks Nicholas Birchman who mobilised residents and acted as guide and the residents who provided interviews.



LTA team trainees and trainers, Kamwatta, Santa Rosa Village, February 2012
Photo: Tom Griffiths

Matarkai Sub-region, Region 1

In **Baramita Village**, Toshao Bradley Thomas and a councillor kindly assisted with mobilisation and a miner and his wife provided transportation. The LTA thanks them and Medex L. Barnes who advised the team and provided an insight into village life as well as Eustace Smith and Virgil Ferreira for all round assistance, Clifford Simon for interpretation and a local resident who provided meals.

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Region 2

In **Akawini Village** the LTA team thanks Stella Wilson and Savita Richards who provided meals and accommodation, the boat driver Luke Richards, the headmaster Edward France (now deceased) and the village councillors and residents who provided interviews.

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ACRONYMS

ALC	Amerindian Lands Commission
ALT	Amerindian Land Titling Project (UNDP-GRIF)
APA	Amerindian Peoples Association
CDC	Community Development Council
DFID	UK Department for International Development
EPA	Environmental Protection Agency
EU	European Union
FLEGT	Forest Law Enforcement, Governance and Trade
FPIC	Free, prior and informed consent
FPP	Forest Peoples Programme
GFC	Guyana Forestry Commission
GGMC	Guyana Geology and Mines Commission
GLSC	Guyana Lands and Surveys Commission
GRIF	Guyana REDD Investment Fund
IDB	Inter-American Development Bank
ICESR	International Covenant on Economic, Social and Cultural Rights
IPC	Indigenous Peoples Commission
IUCN	International Union for the Conservation of Nature
LCDS	Low Carbon Development Strategy
LTA	Land Tenure Assessment
MALC	Moruca Amerindian Land Council
MIPA	Ministry of Indigenous Peoples Affairs (from June 2015)
MoAA	Ministry of Amerindian Affairs (up to May 2015)
NORAD	Norwegian Agency for International Development
NPAC	National Protected Areas Commission
NTC	National Toshias Council
NW	Northwest
RDC	Regional Democratic Council
REDD+	Reduced Emissions from Deforestation and Forest Degradation
REO	Regional Executive Officer
SFP	State Forest Permit
SBPA	Shell Beach Protected Area
TSA	Timber Sales Agreement
UNCERD	UN Convention for the Elimination of All Forms of Racial Discrimination
UNDP	United Nations Development Programme
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
VC	Village Council
VGM	Village General Meeting
VCM	Village Council Meeting
VPA	Voluntary Partnership Agreement (between Guyana and EU on FLEGT)
WWF	Worldwide Fund for Nature

EXECUTIVE SUMMARY

This report presents three years of painstaking research carried out by the APA between 2012 and 2015 with members of 42 settlements (29 titled Villages and 13 untitled communities) in the northwest of Guyana. The survey was carried out with a high level of detail, covering land and resource use, past and present experiences of land titling, government responses and conflicts over land and resource use. A telling point is that many people that took part in this assessment consider that individual Village land titles are undermining indigenous peoples' culture and ways of life.

Part I of the assessment provides the background to the study starting with the methodology of the study (Section 1) followed by a brief history of indigenous peoples' occupation of the northwest of Guyana (Section 2). There follows a summary of colonial and post-independence policies on indigenous peoples' land rights (Section 3) and an account of Guyana's recent land policies and the present situation of Amerindian land tenure (Section 4). Part II presents the land tenure assessment, starting with the detailed findings for each of the 42 settlements visited (Section 5) and ending with a synthesis of the findings, conclusions and recommendations (Section 6).

The core findings of this land tenure assessment, distilled from the synthesis in Section 6, are as follows.

Limited legal recognition and insecure tenure rights

- One third of the 42 communities surveyed have no legal land security of any sort.
- The authorities ignored previous joint requests for collective title among a group of Villages, including a joint petition of the former Moruca Land Council made in 2002.
- None of the land titles held by Villages were agreed through an effective process of free, prior and informed consent (FPIC).
- 28 of the 29 titled Villages consider that their existing land title is insufficient. Of these, 65% have settlements or homesteads outside their existing legal title, more than half have important farming grounds outside their title area and all have important hunting, fishing and gathering grounds excluded.
- Village land titles seriously limit community ownership of land and resources by excluding subsoil resources and all land within 66 feet of the high water mark of rivers and larger creeks.
- Current national law and 'save and except' clauses in land titles allow outside leaseholders to keep previously allocated lands within title areas, thereby undermining land security.
- Government officials have sometimes pressured community leaders to give up their request for land title or title extension.
- The authorities sometimes use biased criteria to deny or limit land title e.g. telling a community it is 'too small' to apply for title.
- Long delays in the processing of land title requests may in some cases be linked to opposition by vested mining, logging or other outside interests.

- National laws don't protect community land and resource rights outside title areas against sale or allocation to third parties (due to a flawed land allocation and concession system).
- Residents of at least 18 communities are very unhappy that fines, threats and harassment by government officials, loggers and miners are preventing them from freely enjoying their right to go to their customary untitled lands and use their traditional resources.
- Villagers and elders emphasise that the current national law, which only allows titling of individual villages, has led to the fragmentation of collective lands and a weakening of joint decision-making on land use.
- Many people that took part in this assessment consider that individual village titles are undermining indigenous peoples' cultures and ways of life.

Title demarcation and extensions

- The vast majority of the 25 demarcated Villages (88%) are unhappy with their demarcation. Half of them are unhappy because of demarcation errors that have excluded significant portions of titled lands and one third of them are unhappy because the boundary, though more-or-less correct, sets in stone a title area that the Village never formally agreed to.
- Titling and demarcation did not involve consulting neighbouring Villages and getting their agreement beforehand, causing boundary disputes between seven Villages.
- There are no procedures to make sure that Villages agree on their common title extension boundaries before submitting their applications, thereby avoiding overlaps in extension areas.
- Demarcation and mapping errors have allowed miners and loggers to encroach on titled lands.
- Residents often find GLSC's official boundary descriptions difficult to understand and check.
- Some Villages feel they have few options for title extension as they are 'boxed in' on all sides, or they don't know how to apply.
- In many cases, authorities have not processed Village applications for land title or title extension promptly or competently, with some villages having to wait decades for a title. Officials have lost applications, not replied to them or only replied verbally. Only eight of 17 extension applications received a written reply.
- There are no fair and transparent appeal and grievance mechanisms where Villagers can take their concerns over title decisions, demarcation surveys or title extension decisions, except for lengthy and expensive High Court appeals.
- Five out of 17 villages applying for extension are not included in the ALT work programme, for reasons that are not clear.
- Former MoAA officials reportedly used biased and strange reasons to pressure Villages to reduce their extension area e.g. because it would be "too big" (three Villages), because the Village supposedly did "not have the skills" to administer the area or because the extension areas were already occupied by or leased to outsiders.

Overlapping land claims and land conflicts

- Logging or mining concessions/permits are widespread on indigenous titled and untitled customary lands.
- In 2015, 31% of titled Villages and 80% of untitled lands had mining concessions imposed on them, while 34% of titled Villages and 79% of untitled lands were affected by State Forest Permits or logging concessions.

29 Villages with LAND TITLE

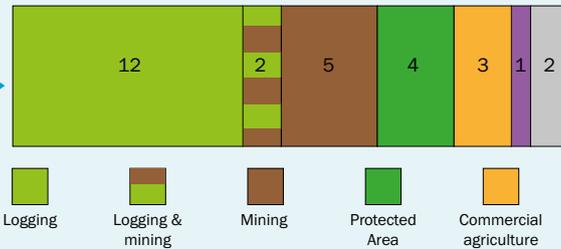


1 Village says its title is OK

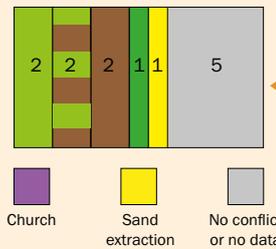
28 Villages say their title excludes some or a lot of their customary lands

Number of titles based on free, prior and informed consent **0**

29 titled Villages: past or current conflicts



13 untitled communities: past or current conflicts



25 Village titles are demarcated **14** demarcated boundaries with reported errors

17 demarcated Villages applied for land title extension

Government replied to 12 **5** but ignored or lost



By 2015 the government had granted only 1 title extension

land title extensions blocked by Shell Beach Protected Area **4**

17 of 29 Villages in the Amerindian Land Titling project **16** concerned about their land tenure security

12 Villages NOT in the Amerindian Land Titling project **11** concerned about their land tenure security

- Over 80% of communities report past or present land and resource conflicts (mainly with loggers and miners).
- Official maps of Village land title areas held by different government agencies, miners and loggers are sometimes contradictory and some have major errors, contributing to the risks of conflict.
- Seven communities find their untitled customary lands and requested extension areas within the Shell Beach Protected Area, where they appear to have limited options to obtain title under existing national laws.
- There are no clear, systematic official processes or rules for resolving land disputes and overlapping land claims within and outside title areas.

Human rights and livelihoods

- Destructive mining and industrial logging are undermining livelihoods and degrading indigenous lands, forests, water sources and livelihood resources, leading to water shortages, food insecurity and health problems.
- Deforestation and damage to water supplies and fish stocks due to mining are serious problems affecting 10 of the 35 Villages and communities visited in Region 1.
- Mining is linked to serious human rights abuse and sexual crimes against indigenous women and minors, with shocking cases and atrocities reported in Baramita Village.
- Populations are growing in most Villages and resources needed for making a living are now scarce within the limited title areas.

This land tenure assessment concludes that national laws, especially the 2006 Amerindian Act, and problems with the way land is given out by State authorities to mining, commercial logging and protected areas are the main underlying reasons why indigenous peoples' land rights have been violated and they have suffered human rights abuses.

Weak governance, corruption, mistakes in maps and failure to do land surveys properly have also caused conflicts, and stopped indigenous peoples from getting secure tenure of their customary lands and resources.

In their recommendations, communities call on the government and authorities to:

1. Review and amend the 2006 Amerindian Act to bring it into line with the UN Declaration on the Rights of Indigenous Peoples and related human rights instruments ratified by Guyana.
2. Set up an independent national tribunal to hear indigenous peoples' claims and grievances about land, territorial and resource rights. This body must be authorised to hear related evidence on human rights violations linked to mining and logging industries.
3. Cancel and remove mining and logging concessions and agricultural leases imposed without indigenous peoples' free, prior and informed consent (FPIC) on their land titles, untitled customary lands and extension areas.
4. Immediately stop destructive mining and logging operations that communities have strongly complained, about, including in Kaituma River and the Upper Barima River.
5. Take urgent steps to give the 13 settlements without land title in Region 1 (including settlements within the Shell Beach Protected Area) legal rights to their lands, and speed up the work to give land title extensions to the 17 Villages that have requested them.
6. Correct mistakes and finish boundary demarcations with full involvement and the free, prior and informed consent of the Villages.

7. Strengthen land titling and demarcation rules so they are clear and uphold FPIC, and remove the power of the Indigenous Peoples Affairs Minister to decide for him/herself, without any consultation with others, whether to refuse or amend applications for land titles.
8. Set up ways for neighbouring communities to consult with each other on land titling, demarcation and extension matters and for communities to make official complaints about, and appeals against, government decisions affecting their land rights.
9. Reform Guyana's systems and rules for giving out lands to stop any new mineral properties, logging concessions and protected areas on indigenous lands, uphold FPIC and protect collective customary land rights.
10. Increase the capacity of government staff and officials working on indigenous peoples affairs, forestry, mining, land surveys and natural resources to understand and work with FPIC, indigenous peoples' land rights and international standards and guidelines on tenure governance, and to use best practices in community mapping and tools that allow communities to demarcate their lands themselves.
11. Amend Guyana's land laws so that skilled indigenous mappers and holders of traditional knowledge are involved in investigating land tenure and carrying out boundary surveys and demarcation.
12. Until the above legal land tenure reforms are in place, make sure that the Amerindian Land Titling (ALT) Project fully upholds indigenous peoples' rights, uses new ALT guidelines for carrying out titling, consultation and FPIC and sets up a system for community members to make official complaints if the project is not working properly.

Community members also made recommendations to Village Councils and the National Toshios Council to make indigenous peoples' land rights their top priority, and increase awareness of human rights and land rights at the community level. Several Villages call on Village Councils to organise a regional land conference to discuss and put forward joint proposals on land claims, land title extensions and the resolution of land conflicts.

New government initiatives such as the Hinterland Indigenous Peoples Commission may provide a way of responding to the communities' recommendations for improved tenure security that have come out of this assessment. Whether the Commission can resolve land conflicts, make amends when rights have been violated and give indigenous peoples stronger protection for their land rights will depend on the powers it is granted. These powers need to be agreed in full consultation with Villages and indigenous peoples' organisations.

The concluding analysis also stresses that Guyana's laws and systems for giving out concessions must be reformed. While it is welcome news that Guyana Forestry Commission recently removed forestry permits from some titles and extension areas (e.g. Arukamai and Yarakita), there is still no official system for doing this, and other Villages have been told that forestry concessions cannot be moved. If the government is committed to upholding indigenous peoples' rights it must guarantee that indigenous peoples have the legal right to free, prior and informed consent over untitled lands, and it must set up a way for lands that were given to outsiders to be given back to the indigenous communities.

PART I

METHODS, HISTORICAL BACKGROUND AND LAND POLICIES PAST AND PRESENT

WOW-RORAH,
WA-KAKOH
NA'NA NONORI, NA'NA
EMAMIRI
CAHOTA, MATAHO
OUR LAND, OUR LIFE

1 HOW THE LAND TENURE ASSESSMENT WAS DONE

At the General Assembly of the Amerindian Peoples Association (APA) in May 2011, participants from 66 Villages called on the APA to make land rights issues in Amerindian communities its highest priority. Delegates agreed that the APA should continue to work with Villages on land issues and promote national and international measures to resolve land conflicts and secure land and territorial rights. They also asked APA to make sure that official projects and programmes aimed at indigenous peoples are in line with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and related human rights instruments ratified by Guyana.

So APA developed a project for participatory land tenure assessment in Guyana, which began in 2012. Between 2012 and 2015 the project worked in Regions 1 and 2 and it will continue in Regions 7, 8 and 9 during 2016 - 2018.

Purpose of the study: The Land Tenure Assessment (LTA) collected baseline information on the situation of indigenous peoples' land and territorial rights in Guyana for use by Amerindian Villages, Village Councils, Amerindian District Councils, Regional Toshias Councils, local and national indigenous peoples' organisations, indigenous NGOs and by policy makers. The main purpose is to help indigenous peoples and their representative organisations protect their rights to their lands, territories and resources. The land tenure assessment collected information through participatory fieldwork and discussions with community members. This also increased community awareness about their collective rights to land, and informed Villages and inter-village bodies about the national and international laws and policies affecting their land security.

Communities can use the land tenure information in Part II in their interactions with national policy processes including the Low Carbon Development Strategy (LCDS), 'green economy' initiatives, REDD+ and EU-Guyana FLEGT-VPA process. The information gathered by the project can also help communities when they are talking to agencies such as the Ministry of Indigenous Peoples Affairs



Planning field methods and initial training for LTA team members, Georgetown, 2012

Photo: Laura George



Training in the use of smart phones and GPS units, Georgetown

Photo: Laura George



Practical training in the field: Kamwatta settlement, Santa Rosa Village, 2012

Photo: Jean La Rose

(MIPA), the Guyana Lands and Surveys Commission (GLSC), the Guyana Forestry Commission (GFC), the Guyana Geology and Mines Commission (GGMC), the Ministry of Natural Resources, the Ministry of Agriculture, the Office of Climate Change and the National Protected Areas Secretariat. Communities can also use the information to contribute to the design and implementation of national development projects, especially the UNDP-GRIF Amerindian Land Titling Project (ALT), which began in 2013.

Team training and field methods: Villages and local APA units nominated eight team members to join the land tenure research team. The field team was trained in participatory action research methods over four days in Georgetown in February 2012. After training in core concepts and social research methods, team members developed a questionnaire to ask villages about different aspects of their land tenure (LTA Village Input Form). Trainees also learned how to use digital recorders and smart phones to collect testimonies, record basic land tenure information and record geo-referenced photographs of important places, boundary sites and sites of land conflict. Epicollect¹ tools and Open Data Kit² software were used to create customised forms for the LTA team to fill in during the fieldwork.

Team members then put theory into practice during a week of practical participatory training in Santa Rosa Village in Moruca sub-region. This included one-to-one and group interviews with village residents, public meetings, workshops, making sketch maps, site visits and looking at documents, printed maps and on-line digital databases including the Government of Guyana's Geonode site.

The team went over the information in the LTA Village Input Forms and summary reports with villagers and members of the Village Council, and checked with them that it was correct. Between 2013 and 2015 the team revisited several villages to check and update information, including at Santa Rosa Village, Baramita, Kwebanna, Bumbury Hill, Arukamai and Barima Koriabo in Region 1 and Akawini, Mashabo and Capoey in Region 2.

1 <http://www.epicollect.net>

2 <https://opendatakit.org>



Working groups with women formed a key part of the LTA agendas for village workshops
Photo: Tom Griffiths



After the first year in the field, the LTA team reviewed progress and lessons learned. The evaluation resulted in an adjusted LTA questionnaire and new approaches to information gathering in the field
Photo: Tom Griffiths



Interviews with holders of traditional knowledge and recording oral history were an important part of LTA fieldwork
Photo: Tom Griffiths



Completing LTA input forms was often conducted in groups in order to cross check information and survey findings, as being undertaken here in Kwebanna Village, 2012
Photo: Tom Griffiths



Site visits also formed a central activity in the LTA methodology, as pictured here during a team visit to sites damaged by mining inside Chinese Landing title area
Photo: Conrad Feather



Teams often worked into the night typing up information and cross-checking the LTA survey 'input' forms with Toshias, elders and villagers – as pictured here in St Monica Village
Photo: Tom Griffiths

Raw field data, including sound files, photographs of documents and sketch maps, typed field notes and testimonies, Village Input Forms and draft village summaries were uploaded on to APA's pass-word protected cloud database. All team members and partners had access to this information.

Sharing the information collected: At the end of 2015 the APA gave printed copies of all final Village Input Forms to the Village Councils and CDCs that took part in the study. APA also sent draft Village summaries to the Ministry of Indigenous Peoples Affairs so this information could be included in Ministry Records and investigations being carried out under the Amerindian Land Titling Project in 2016.

What the study covers: The study does not cover all titled and untitled indigenous communities in Region 1 and Region 2 (see Map 1) as some Village Councils and Community Development Councils didn't want to participate (see Section 4.5). These include the Amerindian Villages of Red Hill and Waramuri and the CDC of Tobago in Region 1, and Mainstay and Tapacuma Villages in Region 2. The LTA team did visit Koberimo CDC in Region 1, but the CDC Chair cut short the work and so information is not complete. This study also did not visit settlements with an Amerindian population at Hosororo in Region 1 and Siriki (upper Pomeroun) in Region 2. Altogether the LTA team visited 35 Villages and communities in Region 1 and 7 Villages in Region 2.

The research team has made every effort to check and confirm the information presented in this report, but the team could not get some information because residents did not have it to hand, could not remember exactly what happened or official documents (including sometimes land title documents) were missing from the Village Council records. In these cases the LTA team tried to obtain the information from the relevant authorities in Georgetown. But unfortunately, on a number of occasions, the GLSC refused to provide copies of maps and title documents, and despite repeated promises, neither did MIPA. Where information was not available or unclear this is recorded in the summary for each village or community (Part II, Annex II). Any remaining errors or omissions in this report are unintentional and are the sole responsibility of the authors and contributors to this publication.

Sketch mapping was conducted as part of the workshops held in villages and communities visited by the LTA team, as here in St Monica Village in December 2012

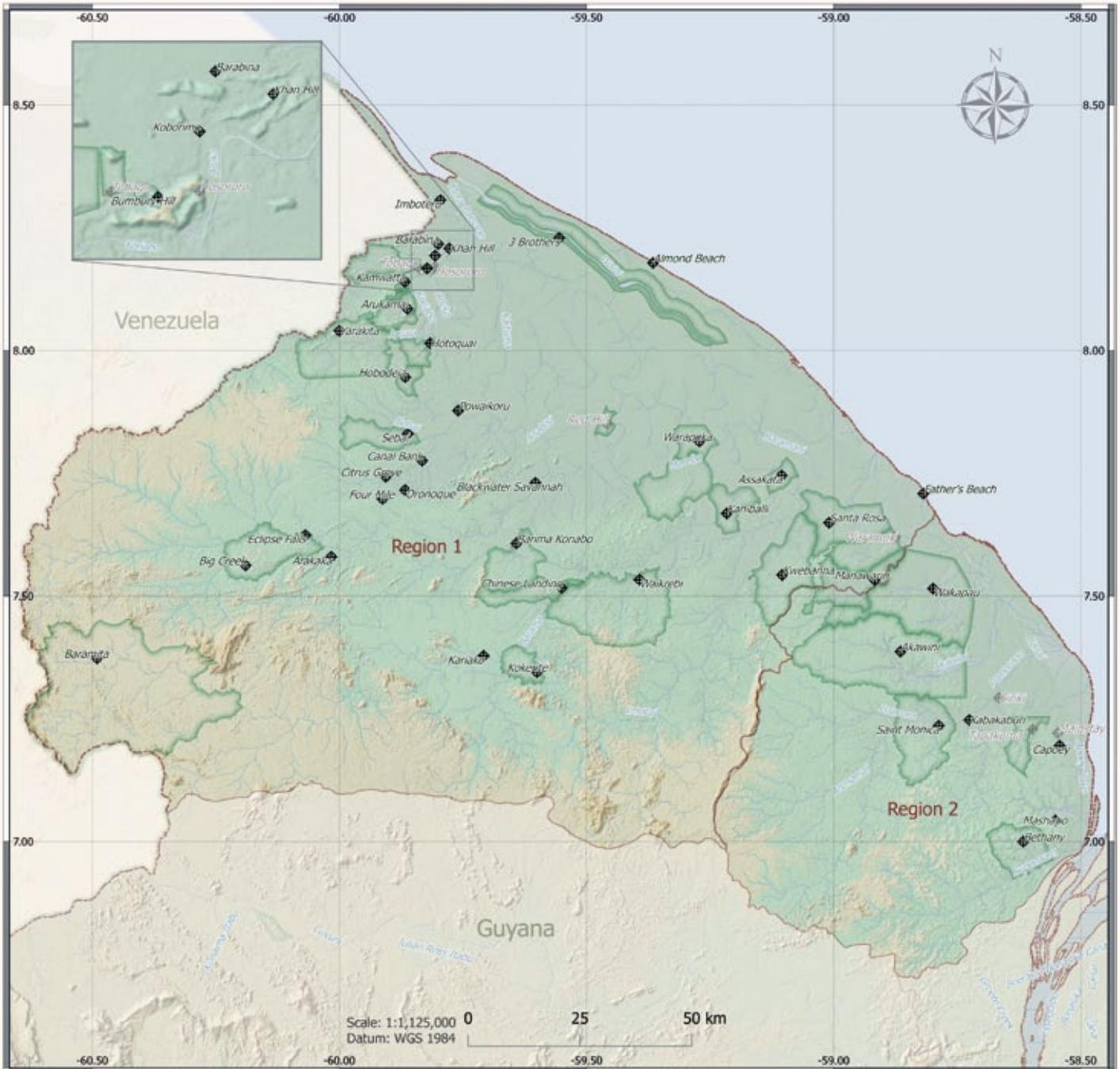
Photo: Tom Griffiths



Map 1: Indigenous Peoples' Settlements and Titled Villages in Regions 1 and 2, Guyana

Legend

- | | |
|--------------------------|-------------------------------|
| — River | Amerindian Settlements |
| Administrative | ◆ Village in LTA Report |
| ▭ Guyana Border | ⊙ Not Investigated |
| ▭ Guyana Region Boundary | ▭ Amerindian Land Titles |



Disclaimer: Data sources include Guyana Geonode, Nasa SRTM, Google Earth and handheld GPS. This map is for indicative purposes only. Information shown does not purport to be validated and correct information on the title boundaries of titled Amerindian Villages. Geonode is known to be inaccurate or incomplete. For example, land title boundary data for several villages, including Mashabo, Kabakaburi, Mainstay, Kariako and Four Miles is missing from the Geonode database. The map does not show untitled customary lands nor the requested extension areas of communities and Villages. Many of these lands are overlapped by mining and logging concessions (Map 2 and Map 3 and Section 5.0).



2 HISTORY OF HOW INDIGENOUS PEOPLES USED AND OCCUPIED THEIR LANDS

2.1 PREHISTORY

Archaeological evidence shows that indigenous peoples continuously occupied and used lands, forests, wetlands, swamps and coastlines in the northwest of Guyana (known today as Region 1 and Region 2) from long before the arrival of the first Europeans in the area. The earliest dated remains are from 7300 years ago, during the 'paleo-Indian' period. Around 3000 years ago Arawak Carib and Warrau indigenous farmers, fisherfolk, foragers, and potters came to the region, building large village sites and making skilful pottery.³

Shell mounds: Shell mounds or 'middens' are ancient refuse piles composed of the shells of striped snails, oysters, mussels and crabs, and the bones of fish, animals and birds eaten by the people who occupied the area. Many of these food sources are still part of local indigenous diets today. The late Guyanese archaeologist Dennis Williams carbon-dated the Piraka shell mound to 7300 years ago, which he concluded "represents the earliest known sedentary occupation of the Western Guiana Littoral."⁴ Williams also dated the Kabakaburi shell mound (associated with human remains, pottery fragments, stone and quartz tools, including boat building tools) to around 5300 years ago.

Other shell mound sites found in Region 1 and 2 include:

- Barabina shell mound (containing early pottery)⁵ (Region 1)
- Hosororo shell mound, Hosororo Creek (Region 1)
- Haimarakabra shell mound, Moruca Creek (Region 1)
- Waramuri shell mound (Region 1)
- Akawini shell mound, left bank of the Pomeroon River, about seven miles upriver (Region 2)
- Siriki shell mound (associated with stone tools and burial grounds), right bank of the Pomeroon River, several miles above Charity (Region 2)
- Warapana shell mound, left bank of the Pomeroon River, about 32 miles upriver (Region 2)
- Issororo shell mound, left bank of the Pomeroon River, about 50 miles upriver (Region 2)

Evans and Meggers (1960) reported many other shell mounds in different locations:

Our guides and workman reported that middens of approximately the same size and shape, with the same type and amount of shell refuse, rocks, bones, crab remains, and crude tools as those in which we were working occurred in the following places: (1) at the head of the Bamboo, or sometimes called Kamuata Creek, which is the next tributary of the Waini River below the Little Kaniaballi Creek; (2) at the head of the Waiwa River, a tributary of the Barama River; (3)

3 Plew, M G (2009) "Pleistocene-Early Holocene Environmental Change: implications for human adaptive responses in the Guianas" in Whitehead, N and Alemán, W (Eds)(2009) *Anthropologies of Guayana: Cultural Spaces in Northeastern Amazonia* University of Arizona Press, Tucson at 32-34

4 Williams, D (1997) "Early Pottery in the Amazon: a Correction," *American Antiquity*, 62(2) 1997:342-352 at 347, see also Plew, M G (2005) *The Archaeology of Guyana* Archaeopress, Oxford

5 Williams, D (1981) "Excavation of the Barabina Shell Mound, North-West District." *Archaeology and Anthropology* 4(1):14-34

about 15 km above the mouth of the Waiwa River; (4) at the head of the Morebo River; (5) on the Querow (Quiaro) Creek, a tributary of the Waini River below Kwebanna Creek.⁶

The many shell mounds in Regions 1 and 2 show that Amerindian people occupied and used these areas as living sites and places for human burial over a very long time. As Williams observed in 1985:

Over the past 120 years, some thirty shell mounds have been recorded or reported on the edges of these swamps, many being of enormous areal extent. Some were occupied for several hundreds, or even thousands, of years. Even the least amongst them was permanent, for the reason that the kinds of food resources they represent remained more or less constantly available for considerable periods....⁷

Some shell mounds were later occupied and used by pottery-making peoples e.g. the Kabakaburi shell mound (Region 2).⁸ Shell mound sites have thus been successively occupied by indigenous communities over the centuries including in the last few hundred years.⁹

Use of the land for farming: The 'neo-indigenous' period beginning 3,550 years ago was marked by the first Amerindian farming communities settling in areas such as Hosororo Creek in Region 1.¹⁰ As farming populations grew, farming practices expanded beyond the Hosororo Creek and the Barima-Waini Region. Eventually, the new farming life spread beyond the Aruka River, either by direct migration or through the movement of ideas across the swamps towards the Essequibo River. Archaeologists have found that the tools used during the neo-indigenous period were developed during the 'archaic period' 7,000 to 3,550 years ago and that "the critical implements and utensils of manioc processing (the stone-chipped grater, the basket ware press and sifter, ceramic griddles and containers) were all products of these key industries."¹¹ Williams also pointed out that "stone working technology changed little, if at all, during thousands of years, certain tools persisted even into protohistoric times."¹²

Pottery and tools: Some of the shell mounds in Region 1 and Region 2 include ceramic objects, showing that Arawaks or Caribs occupied these sites some 3000 years ago. Arawaks and Caribs still make similar types of pottery, either marked with lines or painted. Evans and Meggers (1960) considered early pottery to be evidence of the 'Alaka Phase', while later and more refined pottery of the 'Mabaruma Phase' is found where people carried out farming from about 1500 years ago. The broad areas of these ceramic phases in Region 1 and 2 are shown in Figure 1.

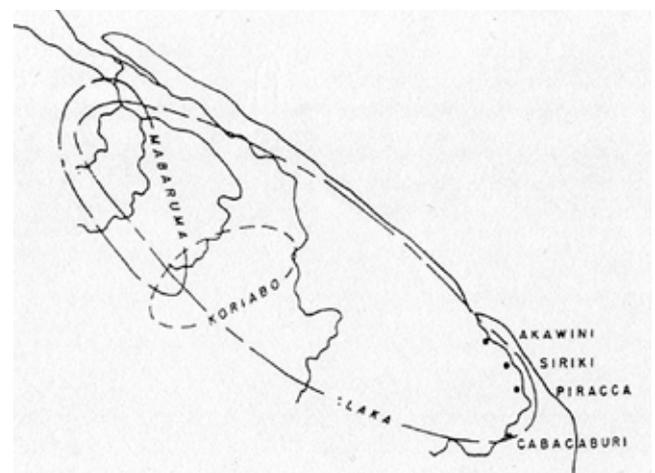


Figure 1: Ceramic phases and some shell mounds investigated by Evans and Meggers (1960)

Studies by the Walter Roth Museum of Anthropology show that the tools, food waste and refuse found with shell mounds in Region 1 and Region 2 indicate ancient Warrau occupation going back as far as

6 Evans, C and Meggers, B (1960) *Archaeological Investigations in British Guiana* Bureau of American Ethnology, Bulletin 177, Smithsonian Institution, Washington DC at 35

7 Williams, D (1985) *Ancient Guyana* Walter Roth Museum of Anthropology, Georgetown, 1985 at 18

8 Evans, C and Meggers, B (1960) *Archaeological Investigations in British Guiana* Bureau of American Ethnology, Bulletin 177, Smithsonian Institution, Washington DC at 37

9 See, for example, Plew, M and Daggars L B (2015) "Recent Excavations at the Siriki shell mound, north-western Guyana" *Antiquity* 89 (347) 2015 <http://antiquity.ac.uk/projgall/plew347>

10 Archaeologists are making new discoveries about the date when cultivation and early farming systems began in prehistoric Guyana and other parts of South America. See, for example, Clement, C R et al (2015) "The domestication of Amazonia before European conquest" <http://rspb.royalsocietypublishing.org/content/282/1812/20150813>, and Roosevelt, A (2013) "The Amazon and the Anthropocene: 13,000 years of human influence in a tropical rainforest" *Anthropocene* Volume 4, December 2013: 69–87

11 Williams, D (1995) *Pages in Guyanese Prehistory* Walter Roth Museum on Anthropology, Georgetown, Guyana, 1995 at 8

12 Williams, D (1985) *Ancient Guyana* Walter Roth Museum of Anthropology, Department of Culture, Georgetown, 1985 at 22

7000 years.¹³ Stone boat-building tools found along the Haimarakabra Creek suggest that the people with Warrau material cultural traits lived next to, and built canoes along, this watercourse up to 5000 years ago.

Excavations show that pottery made in the Upper Pomeroon area around 3000 to 4000 years ago is similar to the pottery made by Caribs in the area today, suggesting the same area was occupied by Kalina Caribs or their ancient ancestors.¹⁴ Likewise, the 'Barranoid' ceramic objects made 4000 years ago are linked to the arrival of proto-Arawaks in the region (e.g. at Hosororo Creek and at Warapoka Creek on the Waini).¹⁵

Taking all this information together, the archaeological record shows that it is very likely that the present-day indigenous Carib, Arawak and Warrau inhabitants of Region 1 and Region 2 are descendants of the same Carib, Arawak and Warrau peoples who have occupied the region since at least 7000 – 3300 years ago.

2.2 HISTORICAL RECORDS OF LAND OCCUPATION AND USE

Oral history and local knowledge documented during this land tenure survey affirm that the ancestors of current Amerindian peoples in Region 1 and Region 2 occupied the northwest region of Guyana long before Europeans arrived in the area.¹⁶ Many travel logs, colonial despatches, maps and other historical documents produced by European traders and settlers from the late 1500 onwards provide written evidence for the pre-existing occupation and continual presence of Warrau, Arawak and Carib peoples across all of the area between the Orinoco and Essequibo Rivers and along the northwest coast.¹⁷

Sixteenth and Seventeenth Centuries: Arawaks, Caribs and Warraus were already occupying and using the areas of the Moruca and Waini Rivers when the Europeans arrived. British explorers reported Caribs in the Waini area in 1595 and extensive Amerindian trading networks in the Moruca area (including trade in carved precious stones and ornaments known as *tacua*).¹⁸ Caribs were also reported in the Barima River area in 1593.¹⁹ Referring to voyages along the coast by Keymis in 1596 and Harcourt in 1613, the ethno-historian Neil Whitehead notes:

Contemporary with Walter Raleigh's exploration of the Orinoco region, another Englishman, Lawrence Keymis, was leading an expedition along the Guayana coast. During this voyage he enumerated the rivers from the Orinoco to the Amazon, indicating also those Amerindian groups that he found in their lower reaches. According to this list, later confirmed in a similar compilation made by Robert Harcourt while attempting to found a colony on the Oyapock River, in 1609, the Mazaruni, Cuyuni, **Waini**, **Barima**, Amacura, Arature, Epanamoo, Imataca, Guanipa and Guarapiche Rivers were said to be inhabited by Caribs, while the Essequibo, **Pomeroon**, **Moruca** and Orinoco Rivers were said to be dominated by Arawak groups. [emphasis added]²⁰

13 Wishart, J (1994) *The Prehistoric Warau of Guyana* Walter Roth Museum of Anthropology, Georgetown at 5 and 13. See also Wilbert, J (1996) *Mindful of Famine: religious climatology of the Warao Indians* Harvard University Press, Cambridge, MA at 2e

14 *The Pomeroon River; a cultural guide* Walter Roth Museum of Anthropology, National Anthropological Archives, 1993 at 2

15 Wishart, J (2000) "Guyana this millennium" *Guyana Review* at 28

16 See, for example, Sections 5.1.2, 5.1.3, 5.1.5, 5.1.6, 5.2.7 in Part II of this report.

17 Dalton, H G (1855) *The History of British Guiana Comprising a General Description of the Colony; a Narrative of the Some of the Principal Events from the Earliest Period of its Discovery to the Present Time. Vol. I.* Longman, Brown, Green and Longmans, London: 88-126

18 Warner, G F (Ed) (1967) *The Voyage of Robert Dudley, Afterwards Styled Earl of Warwick and Leicester and Duke of Northumberland, to the West Indies, 1594-1595, Narrated by Capt. Wyatt, by Himself, and by Abram Kendall, Master.* Kraus Reprint Ltd, Liechtenstein (from the edition originally published by the Hakluyt Society, 1899)

19 "Letter Antonio de Berrío to Spanish King - written 1 January 1593 from the Island of Margarita" at 2 in Foreign Office (1898) *British Guiana Boundary. Arbitration with the United States of Venezuela. Appendix to the case on behalf of the government of Her Britannic Majesty*, Vol. 1, No. 1: 1-7. London: Harrison and Sons [Original Source: "Archivo General de Indias", Consejo, Escribanía de Cámara Pleitos 1597-1599]

20 Whitehead, N (1988) *Lords of the Tiger Spirit: a history of the Caribs in colonial Venezuela and Guyana 1498-1820* Foris Publications, Dordrecht at 16

Maps drawn up by the Spanish around 1650 record Arawak chiefdoms along the Essequibo coast.²¹ Early Dutch traders likewise recorded Amerindians, including Caribs, in the Moruca region and where the Biara River enters the Baramani.²² The Dutch first established a settlement on the banks of the Pomeroun River in 1650, which 'flourished' with the aid and cooperation of local Arawaks.²³ The settlement of Nieuw Middlebourg was founded in 1658 a few miles up from the mouth of the same river. Historical records show that peaceful relations were established between the Dutch, Arawaks, Caribs and Warraus through trade, treaties and marriage alliances.²⁴

Forest products (annatto, letterwood, balsam copaiba) were traded for manufactured goods at 'Moruca-Wacapau' trading post set up in 1659. The British destroyed trading posts in 1665, but from 1679 the Dutch West India Company built up the trade centres again and opened another trading post on the Barima River in 1683. Dutch post holders or *uitleggers* were told to maintain good relations with the indigenous peoples. They were also instructed to collaborate with indigenous trading allies to make slave raids against the Spanish settlements, and (from the later part of the 1600s) to work with Caribs and others to recapture African slaves fleeing from Dutch estates.²⁵ To protect their trading interests in the colony, the Dutch entered into a written treaty with the Caribs in 1672.²⁶

Eighteenth Century: Eighteenth century reports from Dutch trading posts and governors of the colony reveal the continuous presence of Arawaks, Warraus and Caribs in the Moruca, Waini and Pomeroun areas.²⁷ A report from the 1750s, for example, mentioned three Arawak villages on the banks of the Moruca:

The old post was still kept up at its old site, 7 leagues up the river from the sea, and was equipped with three unmounted cannon, three-pounders, and manned by a corporal and two soldiers, besides the Arawak Indians. The latter were gathered in three villages, of ten or twelve houses each, lying a league apart on the banks of the Moruca.²⁸

In 1763, the local Director General of the Dutch West India Company reported that the Moruca, Pomeroun and Waini areas were:

...full of Indians of the Carib, Arawak, and Warouw nations, whose help is always required, both by the Company and by private salters and traders, and who have also to be kept in a continual sort of subjection in order to prevent the escape of runaway slaves, and to facilitate their capture.²⁹

From 1758 – 1769, Dutch despatches reported raids by Capuchin missionaries from Venezuela who captured and relocated hundreds of Arawaks and Warraus to populate their centralised mission on the Orinoco. One such despatch in 1769 said:

... on the 27th February a Spanish vessel came into Marocco and to the Post, there being upon it two fathers, twelve soldiers, and a party of Weykiers...coming to fetch Arowaks and Warouws;

21 Burr, GL (1897) "On the Historical Maps" in US Commission on Boundary between Venezuela and British Guiana (1897) *Report and Accompanying Papers of the Commission appointed to the President of the United States "To Investigate and Report upon the True Divisional Line Between the Republic of Venezuela and British Guiana."* Volume 3: Geographical; Washington, Government Printing Office

22 Webber, A (1931) *Centenary History and Handbook of British Guiana* The Argosy Co., Georgetown at 21

23 Edmundson, G (1901) "The Dutch in Western Guiana" *The English Historical Review*, Vol. XVI (October) 1901 at 642-43

24 *Ibid.* at 656 and 661

25 Menezes, M N (1977) *British Policy Towards the Amerindians in British Guiana 1803-1873* Clarendon Press, Oxford

26 *Ibid.*

27 Harris, C A, and De Villiers, J A J (1911) *Storm Van 's Gravesande – The Rise of British Guiana: Vol. I*. Reproduced by permission of the Hakluyt Society from the edition published by the Society in 1911

28 Burr, G L (1897) "The Dutch in the Moruca" in US Commission on Boundary between Venezuela and British Guiana (1897) *Report and Accompanying Papers of the Commission appointed to the President of the United States "To Investigate and Report upon the True Divisional Line Between the Republic of Venezuela and British Guiana."* Volume I: Historical; Washington, Government Printing Office : 234-235

29 Appendix, Vol. II at 226 (Serial No. 387: Director-General, Essequibo, to West India Company September 27, 1763) in Foreign Office (1898) *British Guiana Boundary, arbitration with the United States of Venezuela. Appendix to the case on Behalf of the Government of Her Britannic Majesty. Volume I – VI* London: Harrison and Sons

and they have caught a whole party in Wayne and Maroco, yet there are many who have fled inland through the warning of an Indian who had run away from Wayne...³⁰

Although they were raided by the Spanish, the Dutch retained overall control of trading and aimed to keep on good terms with indigenous leaders by giving gifts of trade goods every year at their trading posts.³¹ The Dutch plantations expanded in the 18th century and some Amerindians worked on the plantations. Settlers reported that Amerindians refused to live permanently on the estates; they maintained their independent settlements and provided their own food through farming, hunting and fishing.

Nineteenth Century: The Dutch colonies in Guyana came under British control from 1803. The 1814 Treaty of London established British sovereignty over the colonies of Essequibo, Berbice and Demerara, which were joined in 1831 to form the united colony of British Guiana.³² In the 19th century the plantations expanded using more African labour, reducing the need for economic alliances with indigenous peoples. This in turn caused the trade in forest products to decrease.

The records of plantation owners and the 'Quartermaster General of Indians' report the presence of Arawaks and Warraus on the Pomeroon in 1815 and 1823 (Region 2) as well as Arawaks, Warraus and Caribs in Moruca in the 1830s (Region 1).³³ In the first decades of the 19th century references to 'Spanish Arawaks' also begin to appear in accounts of areas in what is now known as Region 1. These Arawaks had fled from Venezuela in 1817 to escape Bolivarian revolutionaries. As Potter notes:

The Spanish Arawaks were a group of mixed Spanish and Amerindian ancestry, who fled to British Guiana in 1817, seeking asylum during the Venezuelan revolution. They were permitted to settle in Moruca, where they intermarried with the local Arawaks; a catholic mission, Santa Rosa was later established for them.³⁴

There is also strong evidence that some of the so-called Spanish Arawaks were really returning to their ancestral home from where their parents and grandparents had been kidnapped by the Spanish between 1750 and 1770. Spanish records confirm that between 140 and 170 Arawaks were taken from Moruca in 1769 and placed in Pudedpa Mission.³⁵

Unlike the Dutch who had treated the Caribs, Arawaks and Warraus as sovereign 'free' nations, the British applied a paternalist policy where Amerindians became wards of the State. The British sought to 'civilise' the indigenous peoples by conversion to Christianity. In the 1830s Governor Light wrote: "The only chance of making the rising generation of aborigines permanently useful to the colony is by religious and moral instruction."³⁶

From the 1840s onwards, historical records became more extensive and detailed as more permanent missions and settlements were founded across Guiana's coastal region. Missionary and colonial reports of the time provide ample evidence of the continued occupation and use of the lands by the Caribs, Arawaks and Warraus in what is now defined as Region 1 and 2.³⁷ Records from 1844 show that the British had started setting up schools in the region, including at Anna Regina (Region 2) and

30 Ibid. in Appendix, Volume IV, at 8 –9 (Enclosure in No. 456: The Postholder, Maroco, to Director-General, Essequibo, March 7, 1769) (signed Diedk Neelis)

31 Colchester, M (1997) *Guyana: fragile frontier* Ian Randle Publishing, WRM-LAB London at 13

32 Ibid. at 18

33 Hillhouse, W (1823) *Reconnaissance of the Post of Pomeroon, with the adjacent Indian Settlements in the Morocco creek and its vicinity*, by William Hillhouse Quartermaster-General of Indians. See also Hillhouse, W (1834) No. 767: Fragment of Report on Indians by W. Hillhouse (1834) at 52-53 in Foreign Office (1898) *British Guiana Boundary arbitration with the United States of Venezuela, Appendix to the case on Behalf of the Government of Her Britannic Majesty* London: Harrison and Sons, Appendix, Volume VI at 1

34 Potter, L (1993) "The Amerindians of Guyana and their Environment" *History Gazette* No. 52, Jan. 1993, at 10 and notes

35 de Carrocera, B (1979) *Misión de los Capuchinos en Guayana (Vol. II), Documentos 1760-1785. Fuentes para la Historia Colonial de Venezuela*, Caracas, Document 170 at 121

36 Colchester, M (1997) *Guyana: fragile frontier* Ian Randle Publishing, WRM-LAB London at 21

37 See, for example, Brett, W H (1868) *Indian Tribes of Guiana: their condition and habits* Hill and Dalry, London

were proposing an Amerindian settlement at Tapacuma Lake (Region 2).³⁸ British colonial governors gave land 'grants' to Catholic and Anglican churches within pre-existing indigenous settlement sites and former trading posts. Several of these missions still lie within Amerindian Villages today, and some continue to cause land disputes (see Wakapau Village, Section 5.2.7). Mission sites and their date of establishment in Region 1 and Region 2 include churches at:

- Santa Rosa (Catholic): 1840
- Waramuri: 1845
- Kabakaburi Mission, Pomeroon River: 1840
- Kaniballi: 1891

In 1852, the missionary Rev. William Brett petitioned for support for the Waramuri and Kabakaburi missions, noting that:

...the other at Waramuri hill on the Moruca, for the benefit of the Arawaks, Caribs and Waraus inhabiting the Moruca, Manawarin and Haimara Cabura Creeks, which was established in 1845. That each of these two Missions is in the midst of a numerous population of the aforesaid tribes.

Nineteenth century explorers also recorded indigenous resources use, customs and occupation of the land in the North West District. The Prussian explorer Richard Schomburgk travelled along the rivers in the North West District and his notes give a lot of information about Amerindian settlements, farming practices, material culture and habits at the time. Talking of a farm field near a Warrau hilltop settlement of Kumaka on the Waini River, for example, Schomburgk records:

The small beaten path that I followed soon led me to second cleared space, the cassava field of the residents: this might have enclosed about three acres and consisted of a most flourishing growth of Manihot (cassava), which, although planted irregularly and without order, reached in general a height of 6 to 8 feet. Here and there the *D'uworva bulbi-fera* Linn., *D.sativa* Linn., as well as *Convolvulus batatas* Linn. and pine-apple crept into and hemmed in this forest of Manihot (cassava), which amongst all Indians takes the place of our cereals...The Indians also cultivate the *Dioscorea*.³⁹

On visiting other Warrau settlements in more swampy areas, Schomburgk described traditional Warrau raised dwellings as follows:

The whole settlement was surrounded by water, and the miserable huts (sic), seven or eight feet long, stood on a platform, formed of interlaced stems of the manicole palm (*Euterpe oleracea*), and supported on piles or tree-trunks of five or six feet in height. In the centre of each hut a heap of earth did duty as a hearth, and prevented the fire, which was continually burning, from finding its way through the wooden floor. The low roof was thatched with palm-leaves, and a notched tree-trunk, leaning against the hut, served as a ladder, to which, when the water is high, a canoe is tied. Even in the dry season the ground is so swampy that a narrow raised path leads from the settlement to the nearest somewhat higher ground.

During his excavations of shell mounds at Akawini and Kabakaburi, Edward Im Thurn detected direct linkages between present day customs and diets with the food waste found in ancient

38 Inclosure in No. 829: Report of W.C. McClintock, Postholder, Superintendent, &c., Pomeroon River, for the Quarter ending June 30, 1844 at 133 in Foreign Office (1898) *British Guiana Boundary arbitration with the United States of Venezuela, Appendix to the case on Behalf of the Government of Her Britannic Majesty* London: Harrison and Sons

39 Roth W E (1922) *Richard Schomburgk's Travels in British Guiana 1840-44 – translated and edited, with geographical and general indices by Walter E Roth. Volume I* Daily Chronical Office, Georgetown <http://www.britishempire.co.uk/maproom/britishguiana/richardschomburg.pdf>



Relics and artifacts stemming from an ancient occupation of the land by indigenous peoples are found throughout Region 1 and Region 2, as pictured here where an elder is holding objects unearthed near his landing in Wakapau Village Photo: Tom Griffiths

shell middens.⁴⁰ Im Thurn also described the material culture of the Arawaks, Warraus and Caribs, including their particular styles of pottery and craftwork, most of which are still practised today (e.g. weaving of young ité palm shoots known as *tibsiri* to make fans and other utensils).⁴¹

In 1883, Im Thurn noted that it was difficult to obtain an accurate figure for the Amerindian population of the northwest and Pomeroon areas:

The number of individuals forming these groups can hardly be determined, for they live widely, more or less thickly scattered, in a country uninhabited, and only partially explored, by Europeans. An attempt was indeed made about the year 1840, and again in 1881, to estimate their number by counting those living along the banks of four rivers [the Pomeroon, Moruca, Waini and Barrama Rivers] supposed to be the most thickly inhabited by Indians.... The numbers returned from the four rivers were...4,265; and from this the Indian population of the whole district has been variously estimated as from 12,000 to 20,000; were I to add another to the guesses which have been made about the matter, I should suggest that 20,000 is probably slightly, but not much, below the real number.⁴²

40 Im Thurn E.F. (1883) *Among the Indians of Guiana* Kegan Paul, Trench and Co., London at 410ff

41 *Ibid.* at 275-80

42 *Ibid.*

3 HISTORY OF HOW GUYANESE LAW AND POLICY DEALT WITH INDIGENOUS PEOPLES' LAND RIGHTS

3.1 LAW AND LAND POLICY IN THE TWENTIETH CENTURY

By the end of the 19th century, the indigenous population had decreased markedly due to disease and intertribal conflict linked to the European slave trade, and Amerindian communities in the colony were suffering from poverty. The British strengthened their paternalist policies through several laws. In 1902, the Amerindians Protection Ordinance established 10 (mostly small) reservations, which were "set aside exclusively for Amerindian occupation and use."⁴³

Under Section 8 of the 1902 Ordinance, Moruca was first declared an Amerindian Reservation in 1904.⁴⁴ In what is now Region 1, the 1904 Moruca Reservation was described as:

The land bound by a line drawn from a point opposite the mouth of the Manawarine Creek through the sources of the tributary streams on that portion of the left bank of the Moruca River above the aforesaid point to the source of the said Moruca River, thence by a straight line to the mouth of the Kamwatta Creek, thence along the right bank of the said Kamwatta Creek to its source, thence by a straight line joining the source of the Manawarine Creek, thence along the left bank of the Manawarine Creek to the place of commencement.

In 1908, the Governor chose to enlarge the Moruca Reservation.⁴⁵ This 1908 Order revoked the earlier proclamation establishing the 1904 Moruca Reservation and created the 1908 Moruca Reservation, which was described as:

The land bounded by a line drawn from a point opposite the mouth of the Manawarine Creek through the sources of the tributary streams on that portion of the left bank of the Moruca river above the aforesaid point to the source of said Moruca river, thence by a straight line to the source of a creek about ¼ mile north of the Asakata creek and down the said creek to the Biara creek, thence up the Biara creek to the mouth of the Asakata creek, and up the latter creek to its source, thence by a straight line to the source of the Manawarine creek, thence along the left bank of the Manawarine creek to the place of commencement.

Two Amerindian Reservations were established in what is now Region 2 under the 1902 Ordinance: Wakapau was allocated 18 square miles of lands and the Upper Pomeroun was granted a reservation of 262 square miles. These two reservations were described as follows:

Wakapau, Pomeroun: All the savannah land on both banks of that portion of the Wakapau Creek extending upwards from its junction with the Hannabassai Giah Creek.

Upper Pomeroun: The lands on the banks of all that portion of the Upper Pomeroun River inclusive of its tributary the Arapiaco extending from Pickersgill upwards to the sources of the said Pomeroun River and Arapiaco Creek, and including all the tributary streams thereof. Save

43 ALC (1969) *Report by the Amerindian Lands Commission* August 1969, ALC, Georgetown at 7

44 Proclamation published in *The Gazette*, 17 September 1904

45 Order in Council 6 May 1908 (Gov. F.M. Hodgson)

and excepting the land on that portion of the right bank of the Arapiaco extending from its mouth to where it is joined by the Tapacooma Creek.⁴⁶

The 1902 Amerindians Protection Ordinance was repealed when the 1910 Aboriginal Indians Protection Ordinance was enacted. The 1910 Ordinance kept the Amerindian Reservations that were defined in 1902. In 1911, under Section 4 of the 1910 Ordinance, the British created 12 Administrative Districts⁴⁷ and the Governor declared District No. 12, called the North West District, to include:

...that portion of the colony bounded as follows: On the north by the Atlantic Ocean. On the east by the eastern watershed of the Waini River. On the south by the northern watershed of the Cuyuni River. On the west by the boundary between the colony and Venezuela.

Pomeroon District Number 11 was also created in 1911 and was described as:

...that portion of the Colony bounded as follows: On the north by the Atlantic Ocean. On the east by a line commencing at the mouth of the Cozier Canal on the Essequibo Coast, and extending thence along the south-eastern watershed of the Pomeroon River to the northern watershed of the Cuyuni River. On the south by the northern watershed of the Cuyuni River. On the west by the eastern watershed of the Waini River...

The reservations were areas reserved for exclusive occupation and use by Amerindians, where they could be protected from outside influences. British colonial officials summed it up as follows:

...the whole object of protection is to keep the protected group away from temptation and outside bad influences and from exploitation until the Authorities are satisfied that sufficient advancement has been made to warrant protection unnecessary.⁴⁸

The precise areas of the reservations changed over time due to colonial policies. In 1934, the Colonial Office in London reported the reservation areas as follows:

- Moruca, North West District: 307 square miles
- Wakapau, Pomeroon River: 20 square miles
- Upper Pomeroon River: 692 square miles⁴⁹

Even now, some senior elders in Amerindian Villages in Region 1 and Region 2 remember the pre-1953/1966 Amerindian Reservation and Amerindian District boundaries. These boundaries still cause confusion and concern about existing land title descriptions and title demarcation areas (e.g. Kwebanna and Kaniballi in Region 1 and Kabakaburi in Region 2 – see Sections 5.1.7, 5.1.8, 5.2.5).

In 1938, the West India Royal Commission raised concerns about the social and economic conditions of Amerindians in Guyana. In response, the colonial government appointed Mr P.S. Peberdy as Amerindian Welfare Officer. In 1948, after visiting indigenous territories throughout Guyana, Peberdy released a report on his five-year investigation of Amerindian affairs. This report recommended as follows:

- i. Three major land areas in the North West District, in the Mazaruni-Potaro District and in the Rupununi District respectively should be called Amerindian Districts.

46 Proclamation of Governor Swettenham made under Section 8 of the Aboriginal Indians Protection Ordinance 1902, 13 September 1904

47 Proclamation 13 April 1911 (Gov. F.M. Hodgson)

48 Peberdy, P S (1948) *British Guiana: Report of a Survey on Amerindian Affairs in the Remote Interior: with additional notes on coastland population groups of Amerindian origin* Colonial Development and Welfare, Scheme No.D426

49 Williams, J (1936) "The Aborigines of British Guiana and their Land" *Anthropos* XXXI (May-August 1936): 417-432 at 428

- ii. Amerindians resident within the districts mentioned at (i) should retain the privileges and full protection of the State.
- iii. That other coastland or interior Amerindians should be invited to emigrate to declared Amerindian districts and that those Amerindians who preferred to remain outside Amerindian districts should by so doing forfeit the rights and privileges of an Amerindian, but should retain their right to settlement and cultivation thereon.
- iv. Advisory Boards should be set up to decide on and register Amerindians claiming right of entry to Amerindian Districts.
- v. On the provision of economic facilities within, and by the declaration of the three Amerindian Districts, (referred to at (i)), all other Reservations be abolished.⁵⁰

The 1910 Ordinance was repealed in 1951 when the Amerindian Ordinance was enacted. Under this new law, which aimed to encourage 'integration', the central villages in Amerindian Districts would be allowed to elect 'Captains' who would in turn be advised by elected District Council members. Captains were given the status of rural constables and had to "...carry out such instructions as may be issued to him by the Commissioner or District Commissioner."⁵¹ Like the Amerindian Reservations before them, Amerindian Districts did not recognise indigenous peoples' land ownership rights and the British held powers to alter or reduce the boundaries without prior agreement or consultation.

In 1953, the Governor in Council, under Section 3 of the 1951 Amerindian Ordinance, created the North West Amerindian District described as follows:⁵²

A tract of Crown Land situated on the right bank Waini River, commencing at the mouth of Assakata River, left bank Biara River, left bank Baramani River, right bank Waini River, and its boundaries extend thence upwards along the right bank Assakata River to its source, thence in a south-easterly direction along the watershed between the Waini and Baiara Rivers to the source of the Kaiarau Creek, right bank Waini River, thence downwards along the left bank Kaiarau Creek to the right bank Waini River, thence upwards along the right bank Waini River to the mouth of the Mariwaru River, thence upwards along the right bank Mariwaru River to its source, thence in an easterly direction along the watershed between the Akawini and Wakapau Rivers, left bank Pomeroun River, to a point about (four) 4 miles south-east of a point on the right bank Wakapau River opposite the mouth of the Hana-basaigia River, left bank Wakapau River, thence N.315 [degrees] four miles to a point on the right bank Wakapau River opposite the mouth of the Hana-basaigia River, thence across the Wakapau River to the mouth of the Hana-basaigia River, thence upwards along the right bank of the Hana-basaigia River to its source, thence by a straight line running in a north-westerly direction to the mouth of the Manawarin River, right bank Moruca River, thence across the Moruca River to a point on its left bank, thence by a line running in a north-westerly direction through the source of all the tributary streams on the left bank of the Moruca River above the aforesaid point, to the source of the Moruca River, thence by a straight line running in a south-easterly direction to the source of an unnamed creek on the right bank Baiara River about ¼ mile below the mouth of Assakata River, thence downwards along the left bank of the said unnamed creek to the right bank Baiara River, thence upwards along the right bank Baiara River to a point opposite the mouth of Assakata River, thence across the Baiara River to the point of commencement at the mouth of Assakata River. Area **705 square miles** (approx.) [emphasis added].⁵³

50 Peberdy, P S (1948) *British Guiana: Report of a Survey on Amerindian Affairs in the Remote Interior: with additional notes on coastland population groups of Amerindian origin*. Colonial Development and Welfare, Scheme No.D426

51 Colchester, M (1997) *Guyana: fragile frontier* Ian Randle Publishing, WRM-LAB London at 133

52 Amerindian Districts Order (No. 59), 1953

53 Ibid.

This District included the Villages of Santa Rosa, Waramuri, Manawarin and Assakata, but excluded other surrounding villages and communities on the Waini and Barama Rivers. In 1957, the Governor declared the Santa Rosa Amerindian Area in 1957 as:

That portion of the Moruca River in the Northwest Amerindian District, as defined by the Amerindian Districts Order, 1953 (No. 59), from Cayman Creek to the junction of the Moruca and Bara Bara Rivers including all occupations and settlements on both banks thereof.⁵⁴

On the same day, by Order in Council under Section 17(1) of the 1951 Amerindian Ordinance, the Governor established an Area Council for the Santa Rosa Amerindian Area.⁵⁵

Before independence, British policy continued to push for Amerindians to be integrated into the market economy and for the 'modernisation' of Amerindian land ownership and livelihoods. In 1960, the colonial administration began the Kumaka-Kwebanna agricultural project (in Region 1) to develop and 'civilise' (sic) the Amerindians of the area by introducing agriculture producing single crops for sale rather than food for Amerindians' own consumption. This project involved the construction of a road between Kumaka and Kwebanna and demarcation of 10-acre lots in which individuals could apply for free agricultural lands.⁵⁶

In 1963, the Santa Rosa Amerindian Area boundary was adjusted to take account of these individual plots,⁵⁷ which were again specifically excluded from the land title issued to Santa Rosa village in 1976 (see 5.1.1).

The 1951 Amerindian Ordinance and the village-specific orders continued to govern the recognition of Amerindian lands in Region 2 outside the North West Amerindian District boundary until after Guyana's independence in 1966. The communities were then issued with title under the Amerindian Act as amended in 1976 (see 3.4 below).

3.2 PRE-INDEPENDENCE INDIGENOUS PEOPLES' LAND MOVEMENT

As the independence movement in Guyana gathered momentum in the 1950s, indigenous activists and leaders from the North West District (now Region 1 and Region 2) became active in pressing for secure Amerindian ownership rights over land. An Arawak and native of Santa Rosa Village, Stephen Campbell, became a champion of Amerindian land rights alongside Village Captains like John Ferreira.⁵⁸ Campbell became the first indigenous Member of Parliament in 1958. He travelled to many of the villages in the northwest to call public meetings where he informed elders, youths, women and Captains of their rights and of the need to include solid British commitments on land rights as part of any independence agreement.

Older people in Region 1 and Region 2, who were children or youths at the time, still remember and admire Stephen Campbell. A statue to his memory is erected in Santa Rosa Village today.

I remember visits and talks about land rights given by the Amerindian leader Mr Stephen Campbell to people in our village in the early 1960s, before independence from Britain. He warned our people that outsiders would come to take away we lands. He told the people that they must work to get full title to what they know to be theirs... [Elder, Kaniballi Village, 2012]

54 Amerindian Area Order (No.25), 10 May 1957

55 Santa Rosa Amerindian Area Council Order (No. 26), 10 May 1957

56 *Plan showing the layout of ten acre agricultural plots of crown land along a portion of the Kumaka-Kwabanna road, April 4th, 1962*, surveyed by C. Deare, Government Land Surveyor

57 Santa Rosa Amerindian Area (Amendment) Order, (No. 98), 1963

58 Santa Rosa Village, LTA Survey form, 2014

Others recall that Stephen Campbell travelled to Britain to meet with the British government to discuss the terms of the independence agreement:

...at that time and the Queen of England sent for them to go to a meeting in England. She invite them and of course Stephen Campbell too. They all went: Campbell, Burnham and De Geer - all gone to England [...] we know that Stephen Campbell he gone to settle all with Amerindian Reservations. He go to speak and settle it up with the Queen. The Queen said it was all OK...[Elder, Wakapau Village, 2012]

Villages also told the British directly of their concerns about land rights. The Knapp Report of 1965, for example, noted that:

In all the villages we visited, the first question placed before us was their apprehension regarding the termination of their land interest. ... Even more so, since Part I, Paragraphs 3, (a), (b), and (c) of the Amerindian Ordinance No. 22 of 1951 offer no guarantee of continued land ownership by the Amerindians of the Interior.⁵⁹

The report concluded "The development of Amerindian lands may present some difficulty until this (land ownership) matter has been settled."⁶⁰

3.3 INDEPENDENCE AND THE AMERINDIAN LANDS COMMISSION (1966-76)

In 1962, the *British Guiana Independence Conference* opened to discuss Guyana's eventual independence from the United Kingdom. Steven Campbell attended the Conference in London and presented an elaborate petition calling for secure land rights, signed by 26 Captains, to the British authorities.⁶¹ Through these efforts, Campbell and Amerindian community leaders succeeded in inserting text about Amerindian land rights into the report of the Conference. This report was issued in 1965 and its Annex C provided that:

The Government of British Guyana has decided that the Amerindians should be granted legal ownership or rights of occupancy over areas and reservations or parts thereof where any tribe or community of Amerindians is now ordinarily resident or settled and other legal rights, such as rights of passage, in respect of any other lands where they now by tradition or custom de facto enjoy freedoms and permissions corresponding to rights of that nature. In this context it is intended that legal ownership shall comprise all rights normally attaching to such ownership.⁶²

Guyana became an independent country on 26th May 1966. To comply with the legal obligation to regularise Amerindian land rights contained in the Independence Order 1966, an Amerindian Lands Commission (ALC) was set up in 1966 and Commission members were appointed by 1967.⁶³ The Commission visited various villages in the northwest in 1967-68 (in what is now called Region 1 and Region 2). It held public meetings, carried out investigations and documented the areas that Amerindian communities asked to have legally recognised as their own lands. Unfortunately,

59 Knapp, S C (1965) *Report on the Amerindians of British Guiana and Suggested Development Programmes* The Government Press, Georgetown at 11

60 Ibid. at 1

61 <http://www.kaieteurnewsonline.com/2016/01/24/the-pioneering-days-of-stephen-campbell/>

62 Annex C of the Report was repeated verbatim in the Amerindian Lands Commission Act, Sections 2 and 3 of which were entrenched in Section 17 of the Guyana Independence Order 1966 and in Section 20 of the 1980 Guyana Constitution. Section 20 of the 1980 Guyana Constitution reads: "Notwithstanding anything contained in this Constitution, Sections 2 and 3 of the Amerindian Lands Commission Act as in force immediately before the appointed day may be amended by Parliament only in the same manner as the provisions specified in Article 164(2)(6) of the Constitution." Section 164(2)(6) requires a two-thirds majority of Parliament and submission of the proposed amendment to a vote by the electorate, prior to signature by the President.

63 Amerindian Lands Commission Ordinance 1966; this Ordinance was re-enacted as The Amerindian Lands Commission Act (Cap. 59:03).

the Commission did not consult with Amerindian villages or obtain their agreement to its final recommended areas before completing its report (see Section 6.2).

Petition for a collective territory: Amerindian communities of the northwest, including Santa Rosa, Waramuri, Kwebanna, St Monica, Kabakaburi, Warapoka, Mabaruma Hill and Barabina Hill came together at a conference held at Kumaka on the Moruca River on 7th October 1967 where they made a joint request to the ALC for a 'Greater North West Amerindian Territory'. The communities' request, which covered much of the traditional territory of the Warrau, Carib and Arawak peoples over more than 7000 square miles, was issued in a memorandum and included in Appendix II of the ALC report. The area requested included the tract of land, waters, forest, coastland and wetlands within an area from:

...the source and along the left bank of the Arapiacco, to the source of the Pomeroun, thence to the source of the Arawapai, thence to the junction of the Arauka and Cayuni rivers and thence by the left bank of the Cayuni river to the Venezuelan frontier at the point of entry of the Cayuni into Guyana. The reservation should be bounded from this point to the sea at Punta Playa by the Venezuelan frontier, and from Punta Playa to the mouth of the Pomeroun river by the Guyanese territorial limits, and from thence by the left banks of the Pomeroun and Arapiacco rivers to the Arapiacco source.⁶⁴

In the end, the ALC visited 34 villages and communities that still exist in Region 1 and Region 2, and included 31 of them in the final ALC report. Arukamai and Hosororo, for example, were visited but not detailed in the final report.⁶⁵ The ALC also did not visit several smaller settlements without Christian missions or mention them in the report.⁶⁶ The ALC accepted the requests for land from some of the villages for areas ranging from small (a few thousand acres) to medium-sized (25 to 50 square miles).

In six cases, noting the poor quality of farm land and to help communities meet 'subsistence needs', the ALC slightly increased the area recommended for freehold title e.g. Bumbury Hill in Region 1, Mashabo in Region 2. But out of the 31 village requests for title over collective customary lands the ALC rejected 14 (i.e. nearly half of the requests) as 'excessive' (see Table 1). The Commission considered these areas "...beyond the ability of the residents to develop and administer" (e.g. Kwebanna Village and Bethany Village).⁶⁷ The Commission did not accept petitions for joint titles among several villages and only proposed titles for individual villages. It rejected the joint request for a Greater North West Amerindian Territory submitted by eight Villages (see above).

The ALC did not recommend Baramita (now in Region 1) to receive a land title, but it advised creating a District to "enclose all known scattered Amerindian populations within the Barama Baramita area"... "owing to the very low degree of sophistication (sic) and the need to set aside lands for their use."⁶⁸

Elders in Region 1 and Region 2 today remember the ALC visits by Mr Scow and also Umbelina Campbell (wife of the late Stephen Campbell who had died in 1966) (See Annex I g). Some said how disappointed they were that the ALC did not honour its promises to secure their lands. They feel strongly that ALC should have considered requests for joint areas and note that individual and limited village titles have resulted in land conflicts and land tenure insecurity:

64 *Report by the Amerindian Lands Commission* Georgetown, Guyana 1969 at 162

65 *Ibid.* at 3

66 Settlements in existence in 1967-68 in Region 1, but not included in the ALC fieldwork and report include: Yarakita, Khan Hill, Imbotero, Blackwater Savannah, Three Brothers and Eclipse Falls. Other centralised main settlements included in this land tenure survey did not exist as larger settlements at the time of the ALC investigation or existed as dispersed homesteads only (e.g. Almond Beach, Oronoque, Four Miles etc.)

67 *Report by the Amerindian Lands Commission* Georgetown, Guyana 1969 at 154

68 *Ibid.* at 154

We do not know why ALC only put forward small title areas for individual villages. Our fore parents asked for large areas of lands because we had always occupied this place and they foresaw the conflicts which are taking place today! In our traditional areas where villagers used to use the forest there are restrictions now, which cause conflicts with forest concession people and sometimes with our neighbouring villages. [Elder, St Monica Village, 2012]

3.4 LAND TITLES ISSUED UNDER THE 1976 AMERINDIAN ACT

In 1976, the 1951 Amerindian Ordinance was amended by the 1976 Amerindian Act, which kept many of the paternalistic provisions adopted in 1951. The Schedule for the 1976 Act set out titles for 62 villages to receive freehold title with major limitations attached, based on the ALC Commissioners' recommendations. Twenty-seven villages from what is now called Region 1 and Region 2 were included in the Schedule. Villages included in ALC recommendations that did not receive title in 1976 included Barabina and Mabaruma Hill and Siriki.

Twenty-three of the 27 title areas described in the Schedule are exactly the same as those given in the 1969 ALC report (Table 1). Villages were never consulted about these titles, nor were they surveyed on the ground, though the government claims to have surveyed them aerially before issuing them.⁶⁹ These titles are therefore not based on what the Villages wanted, were issued without their agreement and do not correspond to Amerindian culture, ways of making a living and collective customary land tenure. They were, and remain, inconsistent with Indigenous peoples' rights under common law and international law.

Ninety percent of the title descriptions included in the ALC recommendations and adopted in the Schedule to the 1976 Amerindian Act used natural landscape features to define land title boundaries. Unfortunately, many title descriptions referred to 'unnamed creeks' sowing the seeds of confusion for future boundary demarcation work decades later (see, for example, Sections 5.2.2 and 5.2.5).

The 1976 Act was the first time Amerindian land ownership rights over title areas were legally recognised, but this recognition was partial. Amerindians' freehold ownership was limited by the following major constraints:

- Land with State installations or airstrips, and, river corridors 66 feet from the mean high water mark were excluded from their ownership;
- The State had powers to extinguish land titles without consultation (under Section 3 in the "public interest");
- The State obtained authority to take and occupy Amerindian titled lands up to 10 miles from an international border "in the interest of defence, public safety or public order";
- The title could be cancelled if at least two members of an Amerindian community showed themselves to be "disloyal or disaffected to the state or have done any voluntary act which was incompatible with their loyalty to the state";
- The Minister of Amerindian Affairs had unilateral powers to change title boundaries without consulting with the community or obtaining its agreement.

69 National Development Strategy (Guyana 2001-2010) Chapter 24

Table 1: ALC recommendations for villages and settlements in Region 1 and Region 2

Village/settlement	Village request accepted by ALC	ALC recommendation(s)	
Visited during the LTA assessment*	Region 1		
✓	Santa Rosa	No	Rejected the 'Greater North West Amerindian Territory' (GNWAT) joint request
✓	Manawarin	No request	Recommended a limited area for farming and other land use
	Waramuri	No	Recommended a different area and also rejected joint GNWAT request
✓	Asakata	Yes	Recommended a larger area due to "the swampy nature of the terrain"
✓	Kwebanna	No	Recommended a much reduced area as "residents cannot beneficially occupy and administer such a large area" and also rejected joint GNWAT request
✓	Kaniballi	No	Recommended a much smaller area
✓	Warapoka	Yes (20 square miles)/No	Accepted as this area would "meet the needs of the community for some time..." but rejected larger joint GNWAT request
✓	Waikrebi	Yes	Advised on a larger area to meet "future development" needs (43 square miles)
✓	Kokerite	No	Recommended a much smaller area
✓	Chinese Landing	No request	Recommended a limited area
	Mabaruma Hill	Unclear/No	Recommended a title for private "lots" and reserve land on "swamp lands and surrounding hill"; rejected joint GNWAT request
✓	Arukamai	-	Visited but not detailed in ALC report
✓	Barabina	No/Yes	Rejected joint GNWAT request, but accepted a request for communal title with Kobarima and Kairie Hills; advised that "a portion of swamp lands should be reserved for future expansion"
	Hosororo	-	Visited but not detailed in ALC report
✓	Bumbury Hill	Yes (1000 acres)	Recommended additional land for agricultural expansion
	Wauna/White Creek	Yes (3030 acres)	Request considered "reasonable"
	Tobago and Wauna Hills	Yes	Recommended 300 acres plus areas of swamp and hills between Tobago and Wauna Hills for "agricultural expansion"
	Aruau River	No request	No recommendations
✓	Hotoquai	No	Considered the area requested "excessive"
✓	Hobodia	No	Rejected as being "excessive" and recommended a smaller area for freehold
✓	Kamwatta Hill	Yes	Recommended a larger area for "subsistence needs and future development"
	Red Hill	Yes	Recommended a slightly larger area to meet subsistence needs
✓	Barima Koriabo	Yes	Accepted the area as "adequate for subsistence"
✓	Sebai	Yes (1000 acres)	Recommended a slightly larger area for "subsistence needs"
	Region 2		
✓	Bethany	No	Excluded requested customary land on the right bank of the Supenaam River
✓	Mashabo	Yes (25 square miles)	Accepted the area as "adequate for subsistence needs"
✓	Capoey	Yes (50 square miles)	Agreed but excluded "Capoey Lake"; existing title is 23 square miles
✓	St Monica Karawab	No	Considered requested area "excessive" and recommended a much smaller area; rejected the larger joint GNWAT request
✓	Kabakaburi	No	Recommended a smaller land title area; rejected GNWAT joint request
✓	Akawini	Yes	Recommended extending the requested area to "cater for increasing population"
✓	Wakapau	No	Recommended a different area to prevent overlap with Akawini proposed title; rejected joint GNWAT request
	Mainstay	Yes (25 square miles)	Agreed as being necessary for subsistence, but excluded Tapakuma Lake
	Tapakuma	Yes	Agreed as being necessary for subsistence, but excluded Tapakuma Lake
	Siriki	Yes	Agreed a 'grant' of land over 200 acres

- ✓ Villages and settlements visited by the APA LTA team in 2012-2015
- Villages that received land titles under the 1976 Amerindian Act according to the ALC's 1969 recommended boundaries
- Villages that received title under the 1976 Amerindian Act with adjusted boundaries or more detailed boundary descriptions
- Villages that were included in the ALC report, but did not receive title under the Schedule to the 1976 Amerindian Act

Except for State installations the 1976 Amerindian Act allowed for 'transport' (transfer) of land that now lay within Village titles, but which was occupied by third parties like the Church, into the possession and control of Amerindian Villages if no objections were received by 1977. In practice, it is not always clear which parcels of land passed to Amerindian ownership. Confusion and disputes remain in several villages over the ownership of church lands and in some cases the church has charged rents to Amerindian families living on church 'property' (see the case of Wakapau, Section 5.2.7).

The 1976 certificates were presented in public conferences with Captains who were disappointed to see the documents decorated with images of the President of the Republic at that time. Captains also expressed dissatisfaction with the loopholes in the land titles and excessive powers of the government, which they found offensive. As a result, some Captains, including several from Villages along the Pomeroon, apparently refused to receive the certificates in protest.

3.5 LAND TITLES ISSUED IN 1991

In 1991, responding to Amerindian leaders' persistent complaints about the 1976 titles, President Hoyte gave full documents of title to all the Amerindian communities listed in the Schedule to the 1976 Amerindian Act. Significantly, these titles, backdated to 1976, all state that the community in question "has from time immemorial been in occupation of [the] tract of State Land" indicated in the description. Although these titles did not change the written description of the lands granted under Section 20A of the 1976 Amerindian Act, they are significantly different from those titles.

First, the 1991 titles were issued under Section 3 of the State Lands Act, which empowers the President, "to make absolute or provisional grants of any State lands of Guyana, subject to such conditions (if any) as he thinks fit..." not the Amerindian Act. These grants, also known as Presidential Grants, were made "absolutely and forever" and can only be revoked for failure to comply with specific conditions in the grant. The only condition attached was that mineral rights were not given to the grantee but retained by the State. The titles issued in 1991, therefore, are absolute grants, applying forever; not even the President is authorised to revoke or modify them.

Second, the Section 3 titles apply to all of the lands described therein, differing from Section 20A(2) of the 1976 Amerindian Act which excludes rivers, river banks, airstrips, or pre-1976 government buildings.

It is unclear whether the Hoyte government meant to grant Amerindians title to the rivers, airstrips and government buildings that were excluded by the earlier 1976 Act. This land tenure survey has however found that since then, certain official maps and legal documents have re-inserted conditions stating that river corridors 66 feet from the mean high water mark are excluded from the title (see Three Brothers, Warapoka and Yarakita summaries, Sections 5.1.4, 5.1.9 and 5.1.16). Documents making reference to such conditions include:

- a. title certificates registered under Section 71 of the Land Registry Act, Chapter 5:02
- b. demarcation maps issued by Guyana Lands and Surveys Commission after 1998
- c. land titles issued after 2006

4 RECENT LAND POLICY AND THE CURRENT SITUATION OF AMERINDIAN LAND TENURE

This section describes recent laws and policies dealing with indigenous peoples' land rights in Guyana and highlights some of their problems, based on the information collected in Villages and communities during the LTA assessment.

4.1 LAND TITLE DEMARCATION

Over the last 20 years there have been several changes to the policies and laws affecting the land and resource rights of indigenous peoples in Guyana. Since 1995 the government of Guyana has applied a two-phased approach for dealing with undecided Amerindian land claims, defined in official documents as:

Phase 1: "Demarcation of the existing (then) 74 legally recognised (titled) Amerindian communities"

Phase 2: "Addressing extensions of titled communities and the request for title by those communities without legally recognised lands."⁷⁰

Many Amerindian Villages, including Santa Rosa Village in Region 1, had for years rejected this two-stage approach to settling Amerindian land claims. These villages felt the State was unjust to demarcate existing boundaries while ignoring that many settlements had never accepted the titles handed out under the 1976 Amerindian Act, which they knew fell far short of their customary land area. They requested that, at the same time as surveying and demarcating existing title boundaries, land policy must deal with outstanding land complaints and resolve undecided land claims. Villages also saw this two-stage approach as a delaying tactic and inefficient, as surveyors demarcated title boundaries that Villages did not agree with while ignoring their long-standing land claims and not collecting information on customary tenure beyond existing titles. For this reason, most villages in Region 1 and Region 2 did not accept demarcation until after 2006 (e.g. Santa Rosa, see Section 5.1.1). The previous ruling Peoples Progressive Party and local government officials applied fierce political pressure on Village Councils and community residents to accept demarcation, which they eventually did very reluctantly.

When villages in Region 1 and Region 2 did finally accept demarcation, many were disappointed to find mistakes in the surveys and final demarcation maps. Fourteen of the 25 villages (56%) surveyed by this study whose lands were demarcated by the Guyana Lands and Surveys Commission (GLSC) say there are mistakes in the demarcated boundary description. One example is Santa Rosa Village where demarcation, completed in February 2006, left out northern and southern parts of the title area (Figures 2 and 3). In March 2016, the villagers demarcated the excluded boundaries themselves and sent the GPS coordinates to MIPA and GLSC so they could correct their records.

Even when villagers realised that mistakes were happening on the ground during a GLSC demarcation survey, the surveyors reportedly often refused to make corrections. In some cases, they reportedly threatened Village Council members with non-completion of the survey if villagers continued to object and, in the case of Kaniballi, even said that that the Village Council would have

70 <http://indigenouspeoples.gov.gy/land-tenure/>

to pay for demarcation with its own funds if they did not accept the GLSC boundary (see Section 5.1.8). In the end, the Village reluctantly signed the demarcation papers.

In other cases, Village Captains and villagers steadfastly rejected wrong boundary and title demarcations and surveyors have sometimes adjusted boundary descriptions and palls accordingly (e.g. Arukamai Village). In other cases, where the GLSC did not correct mistakes (e.g. Akawini Village)

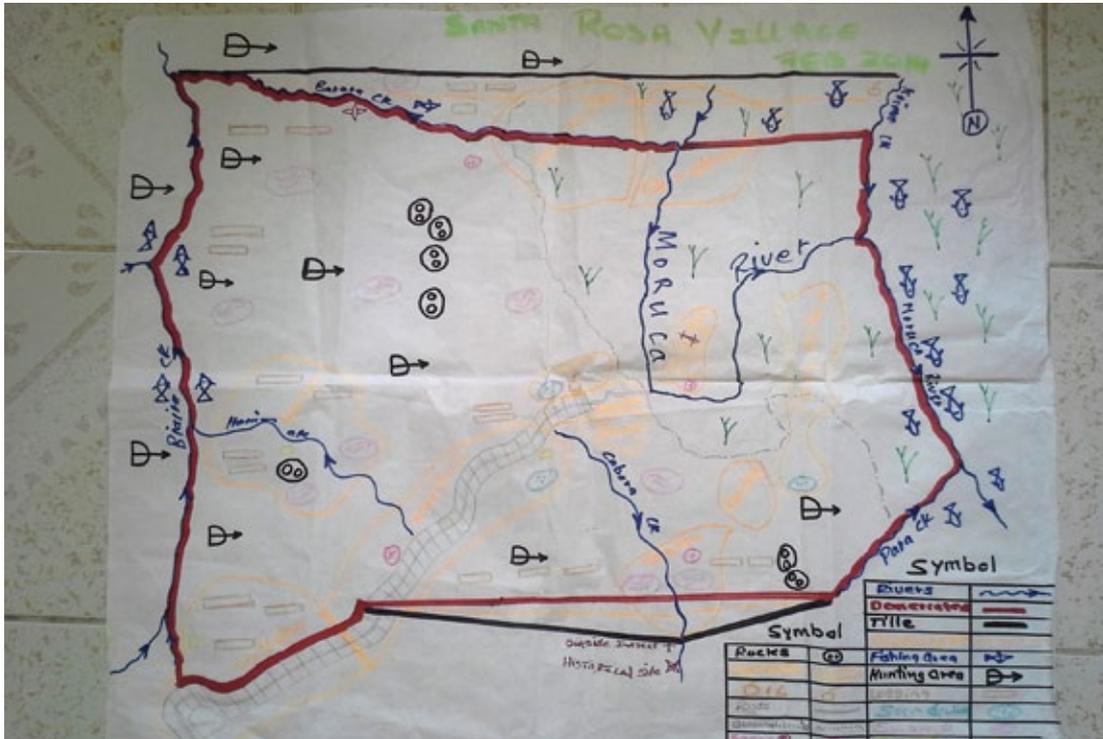


Figure 2: A sketch map compiled by Santa Rosa villagers (2015) during the land tenure assessment. It shows northern and southern portions of the title area omitted from GLSC's demarcation title description.

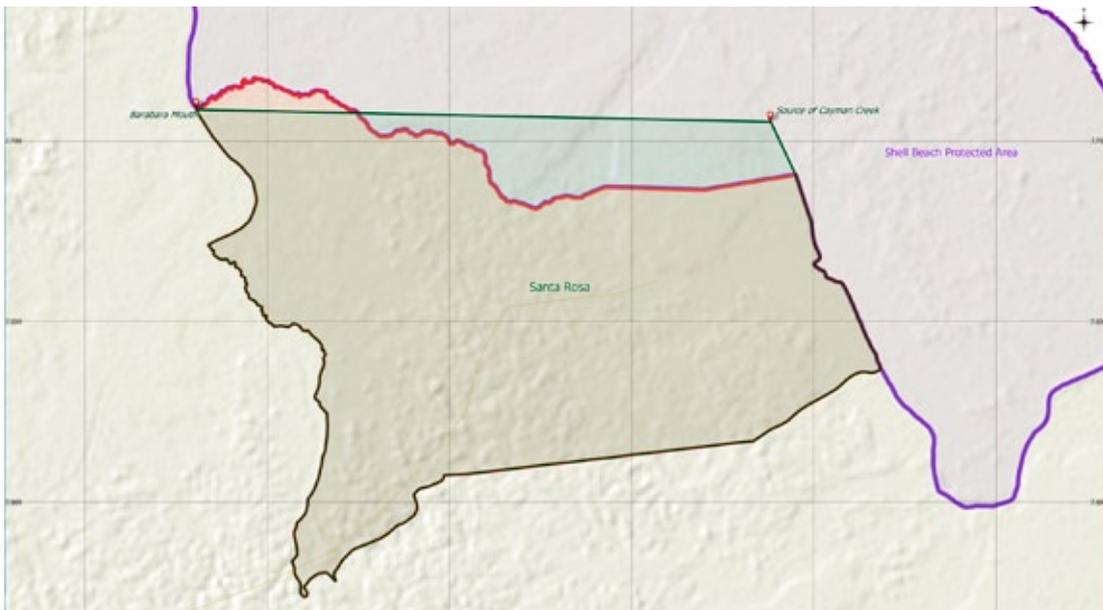


Figure 3: Outline digital boundary map compiled by Santa Rosa villagers (March 2016). The LTA team and Village Council recorded the GPS coordinates of the source of Cayman Creek, confirming the northern demarcation error in Santa Rosa Village's title area (compare Figure 2).

the Village Council refused to sign demarcation descriptions they knew to be wrong and the issue remains unresolved.

This land tenure assessment revealed the following common problems with existing demarcation practices in Region 1 and Region 2:

- No prior consultation or public meeting between the GLSC survey team and villagers to agree the process and rules of the demarcation work. This is mostly done through GLSC meetings with the Toshao and Councillor on a one-to-one basis (e.g. Kaniballi Village);
- Surveyors taking 'short cuts' to speed up the walk around a title boundary, thereby not surveying parts of the boundary (e.g. Akawini Village);
- Surveyors refusing to visit certain boundary points as they are 'too far' or 'too difficult';
- GLSC ignoring or intimidating villagers who point out boundary errors;
- GLSC not making sure that neighbouring villages have discussed their joint boundary and agreed the final demarcation procedure and description, which can cause unnecessary boundary disputes (e.g. between Wakapao and Manawarin Villages).

4.2 AMERINDIAN ACT (2006)

For many years, indigenous peoples' organisations in Guyana, including the APA and also villagers from Region 1 and Region 2, had pointed out the serious shortcomings and discriminatory provisions on land in the 1976 Amerindian Act. In 2002, the government of Guyana finally agreed to review the Act, and carried out major consultations with communities between 2002 and 2003. When the Bill was shared in 2005, indigenous peoples welcomed the removal of some of the most offensive provisions of the former 1976 Act, including the powers to extinguish titles without consultation or consent of affected villages. But they were dismayed that many of their most important recommendations on rights to land and other fundamental rights had not been taken up. Despite the inclusion of some useful elements, the final Amerindian Act 2006 creates or maintains many legal constraints on Amerindian rights. For example, the Act repeals Section 41 of the State Lands Act and replaces it with an amended and shortened 'savings clause' (exemption) on "traditional rights" on State lands and forests in accordance with Articles 2 and 57 of the Amerindian Act.

Article 57 protects traditional rights in State lands and forests, unless expressly provided otherwise in the Act and subject to the rights of any private leaseholders that were in effect in 2006. But the definition of traditional rights in Article 2 (the first express definition of these rights in Guyanese law) limits those rights to only "subsistence rights or privileges" that existed in 2006. The 2006 Act adds a novel restriction requiring that those rights be "exercised sustainably" in accordance with indigenous peoples' "spiritual relationship" with their lands.

The 2006 Act retains the unjust, discretionary and unilateral powers of the Minister of Amerindian Affairs to reject title boundaries and to interfere in and reject village rules or decisions (similar to the powers of colonial British authorities). A key problem is that, when deciding the extent of land titles, the Minister of Amerindian Affairs only has to "take into account" and "consider" different sorts of information regarding the applicant's "... physical, traditional, cultural association with or spiritual attachment to the land requested."⁷¹ The Act also allows large-scale mining concessions to be imposed on untitled indigenous lands without their consent and so discriminates against untitled communities which do not enjoy equal protection under the law. The APA and others have criticised the 2006 Amerindian Act for these serious shortcomings on rights to land and the rights

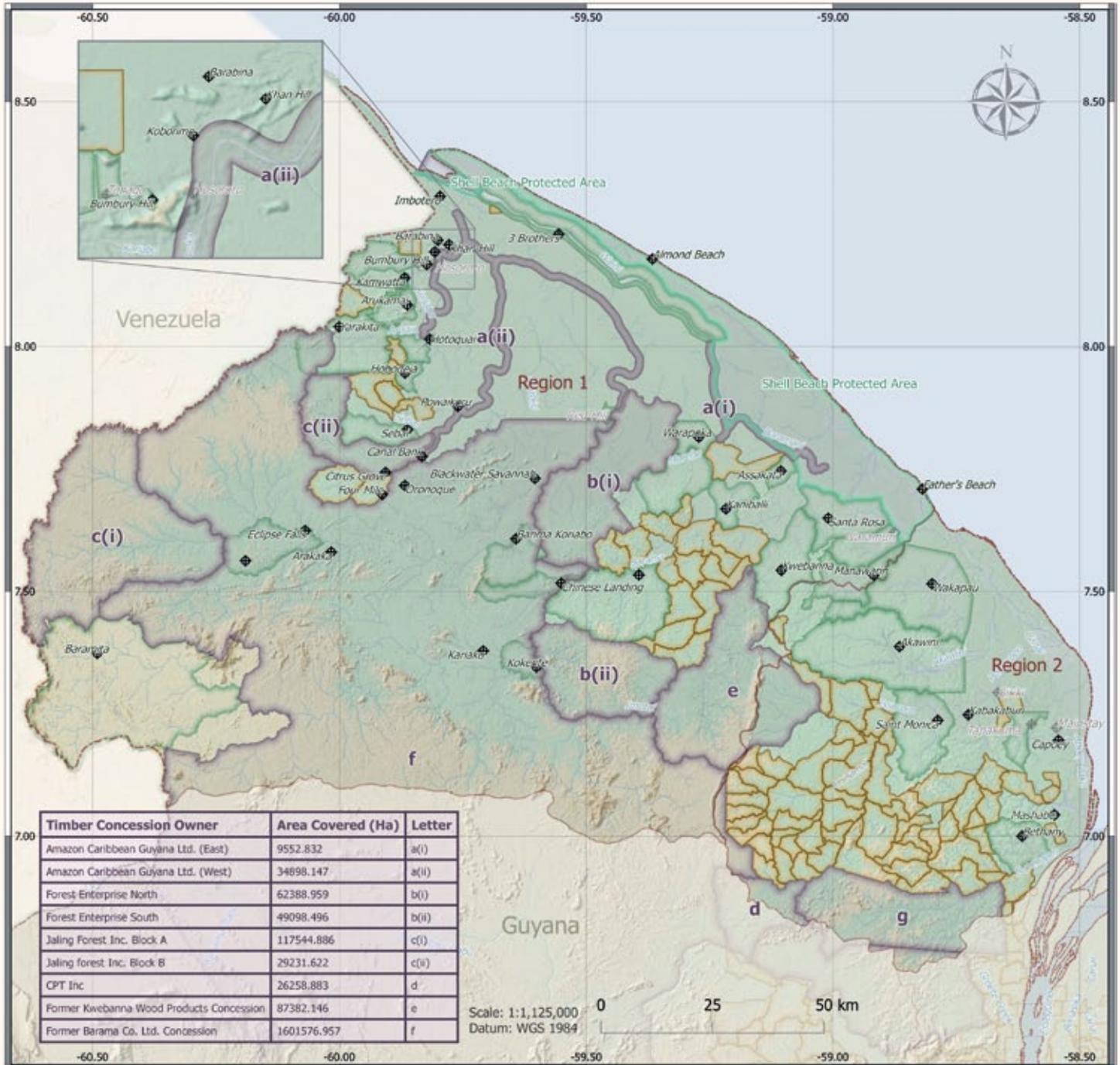
71 Amerindian Act (2006), Article 62(2)

Map 2: Indigenous Peoples' Settlements, Titled Villages, Timber Concessions and Protected Areas, Regions 1 and 2, Guyana



Legend

- | | | |
|-------------------------------|-------------------------|--------------------------------|
| Amerindian Settlements | Administrative | River |
| ◆ Village in LTA Report | ▭ Guyana Country Border | Timber Concession |
| ● Not Investigated | ▭ Guyana Region Border | ▭ Timber Sales Agreement (TSA) |
| ▭ Amerindian Land Titles | ▭ Protected Area | ▭ State Forestry Permit (SFP) |



Disclaimer: Data sources include Guyana Geonode, Nasa SRTM Google Earth and handheld GPS. This map is for indicative purposes only. Information shown does not purport to be validated and correct information on the title boundaries of titled Amerindian Villages. Geonode is known to be inaccurate or incomplete. For example, land title boundary data for several villages, including Mashabo, Kabakaburi, Mainstay, Kariako and Four Miles is missing from the Geonode database. The map does not show untitled customary lands nor the requested extension areas of communities and Villages. Many of these lands are overlapped by mining and logging concessions (Map 2 and Map 3 and Section 5.0).



Note: The exact legal status of several timber concessions in Region 1 was unclear in late 2016. GFC reports in November 2016 indicated that the Barama concession and Kwebanna Wood Products (Bai Shan Lin) concession had returned to permanent forest estate under control of GFC. The Ja Ling concessions remained active at the end of 2016.



of indigenous peoples. The United Nations Committee for the Elimination of Racial Discrimination (UNCERD) urged Guyana in 2006:

...in consultation with the indigenous communities concerned, (a) to demarcate or otherwise identify the lands which they traditionally occupy or use, (b) to establish adequate procedures, and to define clear and just criteria to resolve land claims by indigenous communities within the domestic judicial system while taking due account of relevant indigenous customary laws.⁷²

While the former administration repeatedly refused to amend the Act to remove the land titling problems and discriminatory conditions identified by UNCERD⁷³ the present government elected in May 2015 appears to be committed to revising and renaming the Act.⁷⁴ In September 2015, Minister Trotman of the Ministry of Natural Resources told the UN Committee on Economic, Social and Cultural Rights (ICESCR) that:

...Necessary amendments would be made to the Amerindian Act within the context of a review of land distribution and titling procedures to be carried out by a land commission that the Government was planning to establish shortly.⁷⁵

In October 2015, the ICESCR recommended:

...that the State party revise the Amerindian Act 2006 and other relevant laws with a view to ensuring, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples, that the Amerindian people's rights to their lands, territories and resources are fully recognized and protected and that their free, prior and informed consent is obtained in respect of the adoption of any legislation, policy and/or project affecting their lands or territories and other resources. It also recommends that the State party consider ratifying the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169).⁷⁶

4.3 PROTECTED AREAS ACT (2011)

In 2011, under the Protected Areas Act, the government of Guyana legally established the Shell Beach Protected Area (SBPA) over 360,000 hectares (1,390 square miles). The park's western boundaries touch the north eastern boundaries of Three Brothers, Assakata, Santa Rosa, Waramuri and a section of Manawarin (see Map 2). Almond Beach and Father's Beach (CDCs and untitled settlements) lie within the park boundaries as do homesteads and satellites of Santa Rosa Village on the left bank of the Moruca River. The Environmental Protection Agency (EPA) reports that it carried out consultations with the communities but this survey found that many residents of the aforementioned titled Villages did not know that the park comes right up to the Village boundaries. Residents outside the title and inside the park at Santa Rosa's Kamwatta settlement are alarmed :

We are shocked and worried to learn that our home and farms and hunting and fishing areas is outside the title boundary on this left bank of the Moruca. The land belong to us. It was passed down to us by our grandparents. We plant the land with cassava, yams and pines. We have coconut and coffee plants. We uses the savannah for fishing and the forest for hunt. So we are not going to give up one inch of land. We not giving up one blade of grass. We want the government and authorities to look at

72 UNCERD (2006) Concluding observations of the Committee on the Elimination of Racial Discrimination: GUYANA CERD/C/GUY/CO/14 21 March 2006 at paragraph 16 <http://www.forestpeoples.org/sites/fpp/files/publication/2010/08/guyanacerdconclobsmar06eng.pdf>

73 Comments of the Government of Guyana on the concluding observations of the UNCERD on the Elimination of Racial Discrimination. UN Doc. CERD/C/GUY/CO/14/Add.1, 14 May 2008

74 See, for example, "Urgent reform planned to strengthen land rights under Amerindian Act – Allicock" *Stabroek News*, 8 November, 2015

75 E/C.12/GUY/Q/2-4/ADD.1

76 E/C.12/GUY/CO/2-4, 28 October 2015 at paragraph 15

these titles and do them over again. We want it done over properly. We not happy. We needs title to our islands, savannah and forest this side of the River. [Village resident, Cashew Island, February 2012]

Several villages complain that the park has blocked any space for extension of their title boundary and they feel hemmed in on all sides:

There were consultations about the Park, but we do not really feel informed. Our people feel insecure that their traditional activities (crabbing, turtle egg harvesting, cabbage cutting) may be restricted by the rules and regulations of the protected area. We are not happy with our 2007 land title and the exclusion of all land 66 feet from the mean high water mark of the rivers. We cannot apply for an extension because now the park catches all one side of our boundary. [Resident, Three Brothers, August 2013]

Almond Beach residents report that despite many National Protected Area Commission (NPAC) workshops, they were never consulted or asked to agree to the park boundaries. While welcoming occasional work provided by the park, they are unaware of park rules and restrictions that might affect them. Like other CDCs visited during this LTA study, Almond Beach residents do not know if they have rights to apply for a community land title and they would like more information about their rights (see Section 5.1.5).

In the case of Father's Beach, the CDC has applied for a title and this was rejected. In 2014, a representative of the former Ministry of Amerindian Affairs told Mr. Joseph Henry, the CDC chairman, that the population is too small and so does not meet the requirements to apply for title. Father's Beach community is not satisfied because they have lived on their lands for generations and have never received any recognition or assistance from the government concerning the tenure of their lands.

This LTA survey thus finds that the protected area appears to infringe upon customary land rights and its boundaries were set without the fully informed prior consent of affected villages. The Village extension applications and potential titles for Almond Beach and Father's Beach remain unresolved in 2016.

The 2011 Protected Areas Act allows the Minister for Natural Resources to exclude parts of protected areas or declassify them for mining or oil drilling (subject to approval by Parliament). But the Minister cannot alter the boundary of the Shell Beach Protected Area for social or community reasons unless it is compatible with the goals of conservation and would not reduce the total area of the protected area. This suggests that unless laws are changed,



LTA Validation meeting, Three Brothers, August 2013

Photo: Sharon Atkinson



Coconut farm, Almond Beach, July 2013. Almond Beach has no land title and is located within the Shell Beach Protected Area

Photo: Paul Benjamin

any titling of CDCs or extensions to Village titles would need the park boundaries to expand into other areas. Villages and communities say that they were not properly informed of these serious restrictions on their land rights before the Act was adopted and the Shell Beach Protected Area was created.

There is little doubt that the creation of the park violated the FPIC standard enshrined in the 2007 UN Declaration on the Rights of Indigenous Peoples (endorsed by Guyana) and related human rights instruments ratified by the country. The creation of the park also violated agreed conservation standards on FPIC adopted by the International Union for the Conservation of Nature as well as conservation NGOs such as WWF and Conservation International.⁷⁷



The Henry family (pictured) have lived for generations on Cashew Island, left bank, Moruca River, now within the Shell Beach Protected Area. Nineteen other families belonging to Santa Rosa Village live within the boundaries of the new park on lands they consider to be theirs under customary law

Photo: Tom Griffiths

4.4 LAND CONFLICTS AND OVERLAPPING LAND CLAIMS

This LTA survey finds that 35 of the 42 villages and communities visited (83%)⁷⁸ currently suffer or have suffered in the past (some conflicts have been resolved) land and resource conflicts, mainly with loggers and miners. There are also disputes with church and mission organisations (e.g. Wakapau Section 5.2.7) and with third party interests (e.g. Kaniballi Section 5.1.8). Many villages find logging and mining concessions and permits imposed on untitled customary lands where they are seeking extension of title (see Maps 2 and 3).

Villagers complain that concession holders often try to restrict their access to the forest. Many villages say that, according to the former Ministry of Amerindian Affairs and Amerindian Land Titling (ALT) Project visits in 2014 and 2015 (see Section 4.7 below), their titles cannot be extended if the land is already occupied by outsiders with mining claims, timber sales agreements (TSAs) or state forest permits (SFPs):

Most of our lands outside our title are now occupied by non-Amerindian State Forest Permit holders who tend to block access by Amerindians for cutting *nibbi*, *kufa* and lumber. Some SFP holders and GFC [Guyana Forestry Commission] also restrict access in some areas for hunting and fishing. The SFP holders fight us down and stop us accessing the forest to cut materials we need to make a living. When we asked for extension of our title the Minister told us we cannot apply as the area is needed for loggers. [Resident, St Monica Village, 2012]

After [the logger] got the concession he came over and informed the community that the land is his and not to go there anymore. Another time, the same logger seized 10 chainsaws from community loggers working in lands outside his permit area! ...Only last week, [he] seized ten square posts off a villager and he said he don't want to see anyone on the land even walking or even cut a wattle. Our villagers feel restricted

77 The Durban Action Plan Revised Version, March 2004 <https://cmsdata.iucn.org/downloads/durbanactionen.pdf> On CI's policy, see http://www.conservation.org/SiteCollectionDocuments/CI_FPIC-Guidelines-English.pdf The WWF policy on Indigenous Peoples can be accessed at http://www.panda.org/what_we_do/how_we_work/people_and_conservation/wwf_social_policies/indigenous_peoples

78 See Annex II

by their boundaries and unable to hunt, fish and log on our traditional lands e.g. left bank of the Ituribisi. [Resident, Mashabo Village, 2013]

Many communities also complain that the Guyana Forestry Commission (GFC) and Guyana Geology and Mines Commission (GGMC) give out concessions without the prior knowledge and consent of the community:

There are logging concessions covering much of the community's untitled lands west of the Waini River. GFC has also advertised forests for concession in the southeast portion of Kaniballi's untitled lands south of Troolie Creek. The Village Council and villagers were not consulted on any of the forest concessions affecting our land. We only discovered the GFC advertisement affecting the southeast portion of our area by chance in the newspapers (seen by Kwebanna people). We don't like it that the government gives out these lands to outsiders without us knowing about it. Much of that land is our extension area! Our people fear that when these areas are occupied the concessions holders may restrict access to the forest. [Resident, Kaniballi, 2012]

Villagers only learned of the former Kwebana Woods Ltd concession through maps provided by the GFC in 2009 in connection with fines on villagers for alleged 'illegal logging' inside their own traditional (untitled) lands. Now the land is occupied by an Asian logging company and we know nothing of these deals... [Resident, Kwebanna Village, 2012]

Villages complain that former governments did not respond promptly to their requests for extension of land titles (e.g. Kaniballi and Wakapau), meanwhile, concessions are being granted to logger and miners in these areas. The communities resent that the GFC is becoming stricter in controlling access and commercial use of the forest outside existing village title boundaries (e.g. Kwebanna). Some villages, like St Monica also protest that the GFC is interfering in community freedoms to use forest resources even within titled lands (see Testimony at Annex I i). Alarmed at GFC's increasing fines for cutting timber and even confiscation of timber for community projects, many Village Councils and CDCs in Region 1 are seeking assurances from the GFC that their customary use of the forest will not be restricted (e.g. Imbotero, Bumbury Hill).

Communities are also concerned about the possible impacts of the Low Carbon Development Strategy (LCDS) that may prohibit farming and resource use in forests on so-called 'State lands' that the community know to be their own traditional lands. People are worried that their land and freedoms are in danger of being lost forever unless the national system of timber and mining concessions is radically overhauled.

4.5 LAND CLAIMS AND JOINT LAND TITLES

Since the 2006 Amerindian Act, and in some cases much longer ago, Villages have petitioned the government to extend the boundaries of their titled lands to include their customary lands. These petitions were made in writing and orally to different Presidents of Guyana and to a succession of Ministers of Amerindian Affairs (e.g. Santa Rosa, Kokerite, Kaniballi). This survey has found that many of these petitions were disregarded, rejected, mislaid or not even acknowledged by the former Ministry of Amerindian Affairs (e.g. Santa Rosa, Kokerite, Bethany, Mashabo).

In Moruca sub-region, six villages of Santa Rosa, Manawarin, Kwebanna, Kaniballi, Assakata and Waramuri joined together to form the Moruca Land Council in 1997. They carried out a community mapping project in 2001 and submitted a very detailed petition for a joint collective land title shared between the six communities. They submitted their petition to the government in 2002, with detailed documentary evidence of traditional occupation and use, and a preliminary inter-



Figure 4: A section of the 2002 Moruca Land Council community map showing traditional patterns of land use and occupation.

community digital map (see Figure 4). Much of the historical evidence submitted is summarised in Section 2 above.⁷⁹

Unfortunately, the Villages of the Moruca Land Council have still not received any acknowledgement or reply from the government, and much of the land requested has since been designated part of the Shell Beach Protected Area (see Section 4.3 above). After the Moruca Land Council submitted its collective land claim, political divisions and criticism by government representatives undermined its objectives and vision and the Council no longer functions. Political party manipulation of inter-village relations also tried to discredit allies such as the APA so that some villages chose to avoid engagement in APA activities on the land issue, including Oronoque, Red Hill and Waramuri in Region 1 and Mainstay and Tapakuma in Region 2.

4.6 RECENT LAND TITLES

Settlements that received title since 2000 include Baramita (2004), Arukamai (2006), Three Brothers (2007), Yarakita (2007), Kariako (2015), Four Miles (2015) and Eclipse Falls (2015). In some cases boundary descriptions and maps are incorrect and demarcation is incomplete (see especially the case of Baramita, Section 4.1.35).

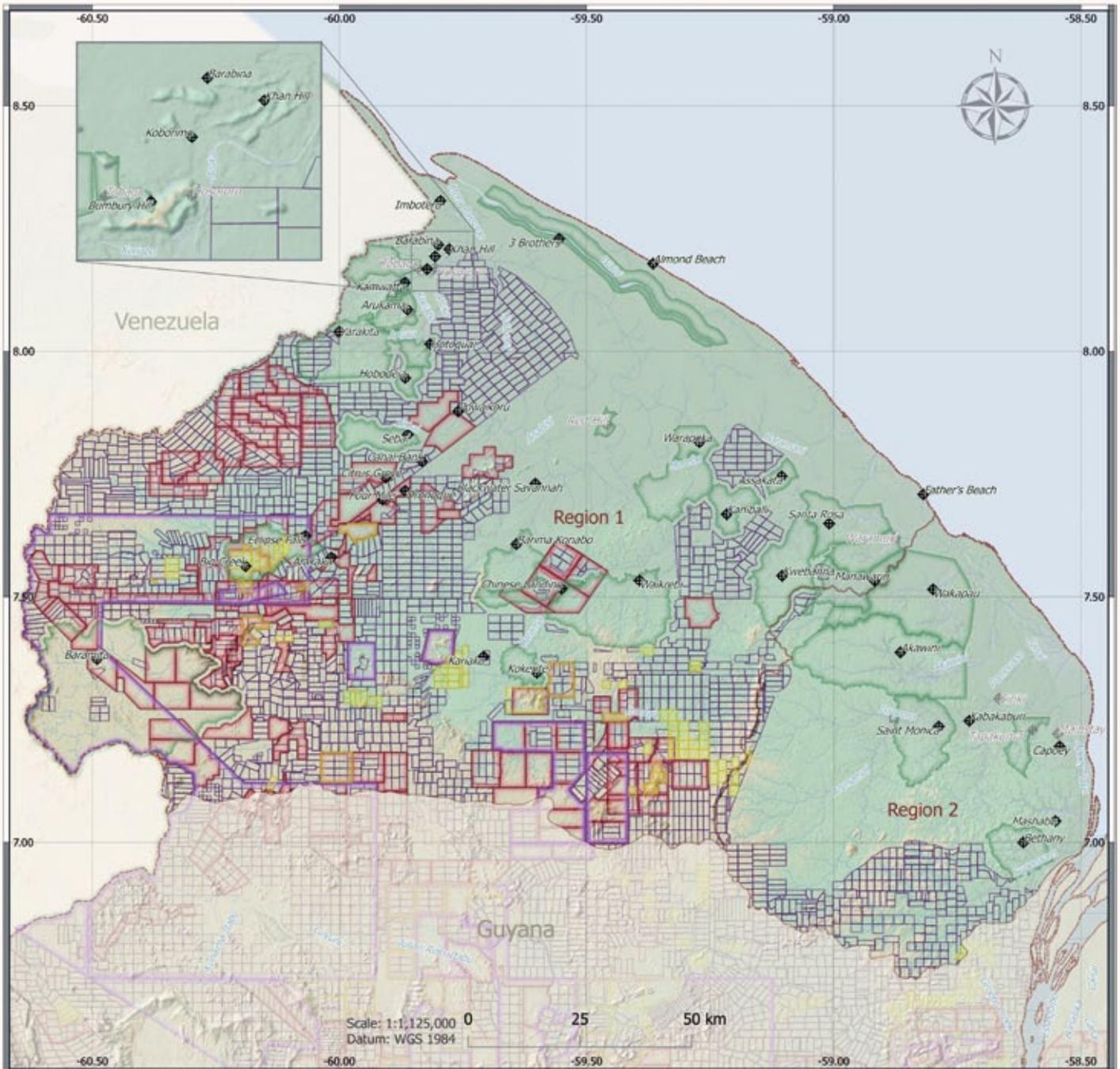
This study finds that Arukamai, Yarakita and Three Brothers are not fully satisfied with their existing

⁷⁹ Moruca Amerindian Land Council (2002) *Formal Application Seeking Recognition of Land and Resource Rights of Six Amerindian Villages of Moruca Sub-Region, Region 1* Moruca Amerindian Land Council and APA, Santa Rosa Village and Georgetown

Map 3: Indigenous Peoples' Settlements, Titled Villages and Mining Blocks in Regions 1 and 2, Guyana

Legend

- | | | |
|-------------------------|-------------------------------|---------------------------|
| — River | Amerindian Settlements | Mining Concessions |
| Administrative | ◆ Village in LTA Report | ■ GGMC Reserved Area |
| ▭ Guyana Country Border | ⊕ Not Investigated | ■ Large Scale Licence |
| ▭ Guyana Region Border | ▭ Amerindian Land Titles | ■ Auction Area |
| | | ■ Mineral Licence |



Disclaimer: Data sources include Guyana Geonode, Nasa SRTM, Google Earth and handheld GPS. This map is for indicative purposes only. Information shown does not purport to be validated and correct information on the title boundaries of titled Amerindian Villages. Geonode is known to be inaccurate or incomplete. For example, land title boundary data for several villages, including Mashabo, Kabakaburi, Mainstay, Kariako and Four Miles is missing from the Geonode database. The map does not show untitled customary lands nor the requested extension areas of communities and Villages. Many of these lands are overlapped by mining and logging concessions (Map 2 and Map 3 and Section 5.0).



titles. Three Brothers is unable to extend its title further east due to the imposition of the Shell Beach Protected Area, while Yarakita has not had a reply to its request for an extended title. Arukamai reports that its 2006 land title only covers a fraction of its land and some homesteads and camps are excluded from its title area (Section 4.1.15).

The three communities that received title in 2015 are still waiting for final title maps and details of their title descriptions. This survey has not yet verified their level of satisfaction with the titling process and final titles granted.

4.7 AMERINDIAN LAND TITLING (ALT) PROJECT

The ALT Project began in October 2013, funded under the Guyana REDD+ Investment Fund (GRIF). It includes 20 communities in Region 1 and Region 2 (Table 2). However, five villages that are still seeking land title extensions are not included: Barima Koriabo, Yarakita, Kokerite, Warapoka and Assakata. Apart from the former Community Development Councils (CDCs) of Four Miles and Eclipse Falls, which received title in 2015, the ALT Schedule doesn't include CDCs in Region 1 (see Annex II).

Table 2: Villages included in the ALT work Programme (2013-16)⁸⁰

Region 1/action/Year	Achieved? Y/pending	Region 2/action/Year	Achieved? Y/pending
Eclipse Falls/title/Y1/Dt?	Y (during Year 2)* Dt	Mashabo/extension/Y2/De/Y2	Pending
Kariako /title/Y1/Dt/Y1	Y (during Year 2)* Dt	Capoey/extension/Y2/De/Y2	Pending
Four Miles /title/Y1/Dt/Y1	Y (during Year 2)* Dt	Akawini/extension/Y2/De/Y2	Pending/nd
Red Hill/extension/Y3/De/Y3	Pending/nd	Wakapau/extension/Y2/De/Y2	Pending/nd
Manawarin/Dt/Y1/ extension/Y3/De/Y3	Pending/nd	St Monica/extension/Y2/De/Y2	Pending/nd
Santa Rosa/ extension/Y3/De/Y3	Pending/nd	Bethany/extension/Y2/De/Y2	Pending/nd
Kaniballi/extension/Y2/De/Y2	Pending/nd	Mainstay/extension/Y2/De/Y2	Pending/nd
Hotoquai/extension/Y2/De/Y2	Pending/nd		
Hobodia/ extension/Y3/De/Y3	Pending/nd		
Bumbury Hill/ extension/Y3/De/Y3	Pending/nd		
Kwebanna/ extension/Y3/De/Y3	Pending/nd		
Waramuri/Dt/Y1	nd		
Baramita/Dt/Y1	Started in 2015		

Key:

Y1 =2014; Y2 =2015; Y3 =2016

Dt = demarcation of existing title; De = demarcation of extension boundary

*Adequacy and levels of villager satisfaction with these 2015 titles has not been verified at the time of going to press as final maps were not available for community review

Red Hill: Settlement not visited by LTA survey

nd: no data/no up-to-date information obtained

The APA and international organisations have formally raised concerns about the ALT project design since it was presented to GRIF for funding in 2011. While fully welcoming the titling project in principle, the APA repeatedly pointed out to the then Ministry of Amerindian Affairs and the UNDP the need to address serious flaws in national titling procedures. These flaws could cause grievances and delays in carrying out the ALT Project, as well as unjust land titling outcomes and land and resource conflicts.

⁸⁰ UNDP (2013) *Amerindian Land Titling Project* Project Document UNDP, Georgetown <http://www.gy.undp.org/content/dam/guyana/docs/ALT%20combined%2018%20October%202013.pdf>

APA thus urged the UNDP and government to amend the project in line with UN CERD recommendations:

It is ... essential that project risk analysis, final design, operational modalities and methodologies for land demarcation and titling under this GRIF project fully address CERD recommendations to ensure that the definition and legal recognition of indigenous peoples' lands and territories are fully in line with international human rights standards.⁸¹

APA submissions resulted in several draft versions of the ALT design document and some extra annexes on safeguard policies. The final project plan signed by UNDP and the government in October 2013 did commit to apply the standard of free, prior and informed consent (FPIC) and to "[c]ompliance with the United Nations Declaration on the Rights of Indigenous Peoples and other relevant UN human rights instruments" as well as "the safeguards and standards used by UNDP and UN-REDD for any REDD+ related project." However, the ALT document did not set out how these standards would be applied to the project's titling, demarcation and titling activities and so does not properly address the concerns and recommendations submitted by the APA and international NGOs.

Although the ALT project granted three titles in Region 1 (Section 4.6), the project was slow to start in other regions partly due to a change in government mid-way through the project as well as changes in the UNDP Project Management Unit in 2015. ALT made some 'investigation' visits to Region 1 and Region 2 communities and Villages in 2014-15 but most villages have not seen much progress so far and the ALT project was far behind schedule at the end of 2016. At the same time, ALT field visits by the former Ministry of Amerindian Affairs in 2014 and 2015 again raised serious concerns among villagers who report that Ministry staff advised villages that:

- Village Council extension requests were "too big" and the villages could not "administer" the land due to "low levels of education" (e.g. Kaniballi and St Monica);
- Land that already had logging or mining concessions would not be available for village title extensions (creating a major problem for many villages surrounded by such concessions);
- Extension requests and final areas for extension would be modified by the government without discussion, and would be put to the Village at a later date for consideration (e.g. Wakapau Village extension).

Villages are concerned that the draft investigation reports from these visits have not been passed back to the Village Councils for checking and correcting any mistakes or misunderstandings, which is required for an effective FPIC process.

On a more positive note, the Ministry of Indigenous Peoples Affairs (MIPA) reportedly informed Hotoquai Village (Region 1) in 2015 that logging concessions affecting the requested extension area could be 'moved' to allow the extension. Villagers are hoping that the Ministry will fulfil this promise.

The GFC is to be commended for its efforts to remove and relocate State Forest Permits outside community land claims. Unfortunately the GFC is not doing this systematically across Regions 1 and 2 and its efforts are likely to be hampered by the lack of formal rules and procedures for annulment or non-renewal of SFPs.⁸²

In 2015, the new Social and Environmental Compliance Unit (SECU) of the UNDP reviewed the ALT Project and found that the project did not meet past or present UNDP policies. A UNDP-Government of Guyana action plan was therefore drawn up to write a Guideline clarifying the titling procedure, putting in place a protocol for consultation and consent, and setting up a grievance mechanism. To

81 Comments by the Amerindian Peoples Association (APA) on the Government of Guyana project concept note on "Amerindian Land Titling and Demarcation" submitted to the Guyana REDD Investment Fund (GRIF), January 2011

82 See vague and general provisions of Section 6 of the 2009 Forest Act with regard to renewal of State Forest Permits.



Mining damage to indigenous peoples' lands, forests, farming grounds and water resources is widespread in Region 1. This picture shows mining destruction on Baramita titled lands in 2013

Photo: Tom Griffiths

implement the plan, a national stakeholder platform (the 'Representative Platform') was set up to agree steps to make ALT keep to project standards (including UNDP safeguard policies, UNDRIP and other international human rights treaties), improve the way it is carried out, and uphold the FPIC standard. The stakeholders agreed in May 2015 to create the Platform and elaborate the Guideline. The Platform met in June and September 2016 and has completed "A guideline for Amerindian Land Titling" in collaboration with a consultant.

The government responded to calls by indigenous organisations, including the APA, to extend the ALT project to 2020 so that it can be implemented properly. In August 2016 MIPA announced that it is seeking a project extension from the government of Norway and the UNDP.⁸³ At the time of going to press it is unclear if the extension will be granted.

4.8 NEW LAND POLICIES AND NEW PROMISES

The new government elected in May 2015 made some promising commitments to deal with indigenous peoples' land rights throughout Guyana. At the National Toshias Council (NTC) conference in August 2015, President David Granger proposed a 'Land and Life Commission' as part of a ten-point Plan for Hinterland Development to examine issues related to land titling and demarcation.⁸⁴ He noted that mining and logging in disputed areas of the hinterland creates conflicts between outsiders and indigenous communities. He promised the NTC that the new Commission will investigate all complaints and claims about land, acknowledging that these issues had gone on

⁸³ <http://gina.gov.gy/govt-budgeting-for-titling-of-30-more-indigenous-communities>

⁸⁴ See <http://gina.gov.gy/lands-commission-to-address-indigenous-land-extension-and-ancestral-lands/>

for the last 49 years. President Granger stated: “We [government] want to bring the complaints to an end by setting up this Commission with you and determine how best we can resolve the issues.” At the August 2016 NTC Conference the President announced that the Commission would be in place by 31st December 2016.

These proposals on land rights have been broadly welcomed by the NTC, though Toshaos note that details of how the Land Commission would operate are still lacking. There are also new government plans to establish a National Indigenous Peoples Authority within the Ministry of Indigenous Peoples Affairs (MIPA) to oversee how development programmes are carried out. Eventually, when these plans are more clearly developed and presented by the government, they will need to be evaluated by the NTC and indigenous peoples’ organisations in Guyana.⁸⁵

One of the new government’s most important commitments is its pledge to review and amend the Amerindian Act (2006) to bring it into line with indigenous peoples’ rights as set out in the UN Declaration on the Rights of Indigenous Peoples. In March 2016, MIPA invited the NTC to propose amendments to the Amerindian Act, and in September 2016 the President of Guyana again promised to revise the Amerindian Act as an ‘Indigenous Peoples Act’.⁸⁶

While this legal reform process gets underway, it is encouraging that the ALT project has adopted an agreed implementation guide for land titling and demarcation, including new rules on actions required to implement the FPIC standard (see above).

The findings in Part II on the land tenure situation of the 42 settlements visited in 2012-2015 as part of this land tenure assessment are intended to inform the above national legal reform and land rights initiatives. Crucially, it is hoped that the Village Councils and CDCs that took part in this assessment will be able to use the information in Part II in their dealings with the new land titling and legal reform plans proposed by the current government.

85 “Mixed reaction to Granger’s proposed National Indigenous People’s Authority” 22 August 2016, <http://demerawaves.com/2016/08/22/mixed-reaction-to-grangers-proposed-national-indigenous-peoples-authority/>

86 “Granger recommits to revise Amerindian Act” *Kaieteur News*, September 15, 2016 <http://www.kaieteurnews.com/2016/09/15/granger-recommits-to-revise-amerindian-act/>

PART 2

LAND TENURE ASSESSMENT IN REGION 1 AND REGION 2 (2012-15)

WOW-RORAH,
WA-KAKOH
NA'NA NONORI, NA'NA
EMAMIRI
CAHOTA, MATAHO
OUR LAND, OUR LIFE



5 SUMMARY ASSESSMENT BY VILLAGE/ SETTLEMENT

5.1

REGION 1

“We are shocked and worried to learn that our home and farms and hunting and fishing areas are inside the Shell Beach Protected Area and outside the title boundary on this left bank of the Moruca. The land belong to us. It was passed down to us by our grandparents... So we are not going to give up one inch of land...We want the government and authorities to look at these titles and do them over again. We want it done over properly. We not happy. We needs title to our islands, savannah and forest this side of the River” [Resident of Cashew Island, Kamatta, Santa Rosa Village, 2012]

“If we could have rights to our land we could even protect this land and forest. How could we pass along our skills to our children if we do not have any place to practise them?” [Resident, Citrus Grove, 2014]

“We want our land for our children because it is we land. This land is ours and we would not give it up.” [Resident, Arakaka, 2014]

“GFC is punishing the people! The minute you step out of bounds, you get fined, so people have to ease off.” [Resident, Manawarin Village, 2012]

“We go there to the upper Waini to hunt and fish and enjoy ourselves. It is a beautiful part of our lands... Our foreparents told us that we should protect that place and not allow people to take those lands from us. The place could even be used for community tourism. Now it is threatened by mining and foreign companies are telling us that it belongs to them. This is very hurtful for us...” [Resident, Kwebanna Village, 2012]

“The concession owners do not want us to hunt and fish or even let us cut any material or log to make houses or corial (dugout canoe). Most of these lands are our farmlands. If this should continue what will happen to our youth?” [Resident, Hobodia Village, 2013]

“In this last ten years especially there has been a huge influx of miners into Baramita. The people are being torn apart! Carib women live in fear and there are savage rapes and terrible violations... A lot of people are dying from HIV aids. And Carib people are killing themselves in despair. Just the last two months there have been four suicides. If this madness is not stopped we will witness the extinction of the Caribs in Baramita in the next 20 years. It is time to expose what is happening!” [Resident, Baramita Village, 2013]

5.1.1

SANTA ROSA

Key findings:

- The Village holds title over part of its land, but large areas of traditional lands shared with neighbouring communities are classified as state land, or are now part of Shell Beach Protected Area (SBPA).
 - Residents consider that official title demarcation in 2006 wrongly excluded several homesteads and farmlands as well as customary hunting and fishing grounds.
 - GLSC Surveyors reportedly dismissed complaints by residents that the demarcation did not follow the title description and pressured villagers and Toshias to accept demarcation.
 - Demarcation has caused disagreements between Santa Rosa and neighbouring villages over lumber and other resources.
 - Santa Rosa's population is increasing and it faces severe shortages of farmland, game animals, fish and clean water.
 - In 2002 the Guyanese government ignored the collective application of the Moruca Land Council (a coalition of six Amerindian villages including Santa Rosa) for a common title to shared customary lands.
 - The Village applied for a title extension in 2008, which was 'lost' in government files for seven years.
 - The Village is included in the Amerindian Land Titling (ALT) Project work programme.
 - GLSC made an initial ALT investigation visit in March 2015, but so far has not shared its report with the Village for review and validation.
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4. Location: Moruca River, Moruca sub-region, Region 1.

5. History: Extensive evidence of longstanding Amerindian use and occupation of the area includes burial grounds in Cabrora, Karaburi and Kamwatta and records of Amerindian resistance to 'Spanish invasion' at the site known as Lalanca (on Barabara Creek near a place commonly known as '99 turn'). Here, according to oral histories, a combined force of Arawak, Warau and Caribs sank invading boats. Santa Rosa Mission was established in 1840 on the site of an Amerindian settlement known in Arawak as *Mariaba* (guava). Founding families of the present-day village site include Henry, Domingo, Rodrigues, Lucas, La Rose, Torres, Francis and Joseph.

6. Main neighbouring communities: Kwebanna, Assakata, Waramuri, Manawarin and Warapoka.

7. Estimated population: 6046 (897 households) (October 2013).

8. Identities of residents: Arawak (majority), Warau, Carib and some mixed race families.

9. Local government: A Village Council with a Toshiao and 11 senior councillors supported by two junior councillors. The councillors in each satellite area have been designated to establish committees to help councillors in their respective areas.

10. Land use and economy: Santa Rosa is the most populous Amerindian Village in Guyana,

consisting of 11 satellite settlements (Kamwatta including Cashew Island, Parakeese, Rincon, Kumaka, Wallaba, Santa Rosa and Islands, Acquero/Huradiah, Koko, Cabrora, Mora and Kabaruri-6 miles). Most residents are subsistence farmers and sell local produce in the Village. In the past, residents produced coconut, coffee, citrus and peanut commercially, but cash cropping has now dwindled due to exhaustion of soils and low prices. Residents grow bitter and sweet cassava and other ground provisions, coffee, coconut and corn, and many fruits including mango, cashew and guava. Local foods include snails and crab as well as traditional drinks including *paiwari*, *uhboodie* wine, *jamoon* wine and cherry wine. Farming grounds lie along the Kwebanna/Kumaka road. Residents say they desperately need fertile land as the farming grounds of Santa Rosa have been worked for over a century and are used up.

Popular hunting grounds where game is still plentiful lie along the Kwebanna/Kumaka road at 12, 13 and 14 miles, although these lie outside the title or are shared with neighbouring communities (e.g. Kwebanna) and around Cayman Creek (right bank of the Moruca River). The latter area was excluded from the title due to errors in the demarcation process. Meanwhile hunting grounds in Wallaba (11 miles on the Kwebanna/Kumaka road) and at Haimaruni Creek are now overhunted. Most of the fishing grounds where fish remain plentiful lie exclusively or partially outside titled lands but are shared with neighbouring communities, including the Waini River and its tributaries such as Luri Creek, the Haimaruni, Biara and Morawaha Creeks as well as the Baramani River and lake (including Dog Creek), which are shared with Assakata and other villages. Within titled lands most fishing spots such as the Moruca River and savannah are depleted due to overfishing and boat traffic. The Morebo Creek, located within Warapoka titled lands is a vital area for gathering *troolie*, while *mucru*, *nibbie* and *kuffa* can be found in the swamp lands on the Baramani and Waini Rivers (outside title) and along the the Biara River, Cabrora Creek and Barabara River (both outside and inside the title). These rivers provide freshwater snails for food, while the shells are crushed and used to treat acid farmland soils. Residents catch salt-water fish, shrimps, crabs and shellfish in the coastal zone.

- 11. Community projects:** No information obtained (2014).
- 12. Institutions and services:** Santa Rosa has nursery facilities in several of the annexes, four primary schools (Santa Rosa, Wallaba, Karaburi and Kamwatta) and its own secondary school, which also hosts children from other villages in Moruca. Health services are provided by Kumaka District Hospital and six community health posts across the area. Some homesteads near the public road have access to mains electricity, while the Santa Rosa Catholic Church provides internet access to some residents.
- 13. Current land title status:** Land title was granted to the Village under the 1976 Amerindian Act and in 1991 under the State Lands Act (the Village Council has since mislaid the title documents). The Moruca Amerindian Land Council (MALC) was formed in 1997 comprising six villages: Santa Rosa, Assakata, Manawarin, Kaniballi, Waramuri and Kwebanna. The MALC wanted to get collective rights over lands and territories traditionally occupied by the six neighbouring communities and still used to the present day. MALC formally applied to the Guyana government for collective land title in 2002 following a mapping project carried out in 2001. The then Minister of Amerindian Affairs received the joint application but the Guyana government subsequently ignored it. Due to political pressure and external interference in village affairs, the Moruca Land Council stopped after a few years (Section 4.5). Since then, Santa Rosa and the other communities have had to seek individual extension of the titles due to limits imposed by the 2006 Amerindian Act.
- 14. Existing title description:** "The area commencing at the mouth of the Para Creek, right bank Moruca River, thence up the Para Creek to its source, thence south-west to Mabaroro Creek, thence west to the south-eastern corner of the second depth of Lot 116, Kumaka-Kwabanna Road, thence by the reserve between Lots 114 and 116, Kumaka-Kwabanna Road to the north-western corner of the second depth of Lot 115, Kumaka-Kwabanna Road, thence south-west by the back boundary of the second depths of Lots 115 to 213 Kumaka-Kwabanna Road to the right bank Haimaruni Creek; thence down the Haimaruni Creek to its mouth, right bank Biara River,

thence down the Biara River to the mouth of the Bara-Bara River, thence East to the source of the Cayman River, thence down the Cayman River to its mouth, left bank Moruca River, thence down the Moruca River to the point of commencement.”⁸⁷

15. Title suitability: Inadequate. Villagers complain that the original title description left out vital customary lands used and occupied by Santa Rosa residents. In the 1960s many Amerindian community leaders came together to seek recognition over lands held and used collectively (Section 3.3). Amerindian leaders from the Pomeroun, Mabaruma and the Moruca met in Santa Rosa (Kumaka) on 7th October 1967. Captain John Ferreira and Stephen Campbell of Santa Rosa and other leaders sought recognition of the ‘Greater North West Amerindian District’ covering an unbroken tract of territory stretching from the Arapiacco source to Pointa Playa.⁸⁸ These customary lands include the Luri Creek that is now inside the Shell Beach Protected Area, while mining and logging by outsiders and foreign companies has seriously degraded other areas. Villagers report that they cannot go freely into these concession areas or fully practice the traditional activities of their fore parents (see 19 below). The problems with Santa Rosa’s land title and demarcation also include:

- Families living and farming on Cashew Island are now technically considered squatters on so-called ‘state lands’ within Shell Beach Protected Area;
- At least six families on the Cabrora Creek now find themselves as part of the village of Waramuri;
- Families at Karaburi (7 miles) are likewise technically now residents of Waramuri;
- Many homesteads on the Kumaka-Kwebanna road from 1 - 12 miles (Kumaka-Wallaba) are unsure if they live on ‘state land’ or on Santa Rosa titled land because the map of the surveyed boundary description states that the title includes all lands “save and except all 1st and 2nd depths of lots” along the Kumaka-Kwabanna road.⁸⁹

Residents say that the large population of Santa Rosa and its recent rapid growth are putting stress on their natural resources (see 7 above).

16. Title demarcation: Completed. Conducted in 2006 and map issued on 09/03/2007.

17. Demarcation suitability: Defective and contested. Errors in the demarcation process placed part of Kamwatta and several homesteads along Cabrora Creek and at Wallaba outside the demarcated boundary. The title legally excludes some homesteads along the Kumaka-Kwebanna road. Despite these exclusions, the Village Council continues its jurisdiction over these areas according to internal Village Rules. The Toshao at the time of demarcation (John Atkinson), several councillors and some residents discussed the demarcation process with the surveyors before they started. Denis Torres participated in the line cutting throughout the process. Another resident, Mark Atkinson, was present for two days but left when surveyors dismissed his observations that the demarcation did not follow the boundary description. Mr Atkinson alerted the Toshao to the surveyors’ negligence in leaving out a section of the Cabrora Creek and the area of land at the source of the Cayman Creek, among other errors. Residents outside the demarcated title boundary suffer from an increased sense of uncertainty and insecurity.

18. Extension status: First applied for in 2007/8 after agreement in a Village General Meeting.

19. Extension description: “The area commencing from the back boundary of Lot 116 Kumaka-Kwebanna road, then along the back boundary of second depth of lots along the Kumaka Kwebanna road to seventeen miles (17 miles) up the said Kumaka Kwebanna road, then in a northerly direction to the source of White Creek left bank Kuria Creek, left bank Waini River,

87 Schedule to the 1976 Amerindian Act

88 Report by the Amerindian Lands Commission (1969) Georgetown, Guyana at 162

89 When the road was constructed in 1960 ten-acre lots were demarcated, where individuals could apply for free agricultural lands. These lots were specifically excluded from the title issued to Santa Rosa in 1976.



then down White Creek to its confluence then up Kuria Creek to its source then in a easterly direction to the source of Kwanawini Creek, left bank Biara River, then down Kwanawini Creek to its confluence, left bank Biara River, then down the Biara to its confluence, left bank Baramani River, then up the Baramani River to the confluence of Dog Creek, right bank Baramani River, then up the Dog Creek to the mouth of the Cashew Creek, then up Cashew Creek to its source, then in an easterly direction to the point of Gwenie Beach on the sea coast to a point at Father's Beach in a southwesterly direction to the source of Cayman Creek to the point that marks the boundary of Santa Rosa Village."⁹⁰

In 2015, villagers told the ALT investigation team that the 2008 extension proposal was incomplete and needed amendment. Residents requested that additional information be added to guarantee that homesteads along the Kumaka-Kwebanna Road will be fully incorporated into the Village title and extension area. Villagers also requested that demarcation errors be corrected at Cabrora and Cayman Creek source. They stressed that the rectification of demarcation mistakes is non-negotiable for the Village.

- 20. Extension justification:** Villagers have traditionally used and occupied the requested tract of land and hold collective ties to the area. Residents don't have enough farming lands or access to vital customary lands used for hunting, fishing and gathering.
- 21. Response from government:** The Village never received any acknowledgement of their application in 2008. A former Minister of Amerindian Affairs said at a public meeting later that year that the Village would need to re-apply to meet the requirements of the 2006 Amerindian Act. In 2009 the Toshao Jennifer Rufino enquired again about the extension, but the new Minister told her that there was no documentation of any such request. Nonetheless, in 2015 the Ministry did indeed hold a copy of the 2008 request, which was shared with the ALT and the Village; despite official denials, Santa Rosa's application had been stuck in the government's files for seven years.
- 22. Land and resource conflicts:** The Village Council has granted the Catholic Church permission to use and occupy Santa Rosa titled land with full knowledge and approval of the residents. But in some cases the Village Council gave permission to private businesses (hardware stores and hotels) to occupy titled land without consulting with the residents and getting their agreement

90 Santa Rosa title extension application submitted in 2008

beforehand. These decisions caused some concern in the Village about the distribution of community lands to non-residents.

The 2011 Protected Areas Act included part of Santa Rosa's customary lands inside the Shell Beach Protected Area (SBPA). This park has imposed a management regime forbidding certain activities, including taking sea turtles and placing fishing nets in certain places. Residents are now unsure how the protected area will affect them and their traditional activities. Families living inside the park boundary and outside the Village title are concerned about their land tenure security (e.g. at Cashew Island). They are also unhappy about the lack of clarity about their legal status as legitimate villagers (Section 4.3).

In the Waini area, close to the Luri Creek and Rock Creek, the Toshao of Three Brothers Village has stopped residents from Santa Rosa, and other neighbouring villages including Warapoka, carrying out traditional activities.

23. Land security: Villagers are deeply concerned about insecure tenure and the shortage of land (see 12, 13, 14 and 17 above)

24. Livelihoods and environment: Villagers cannot freely access Santa Rosa's traditional lands in Cabrora Creek and Waini River because neighbouring villages have imposed restrictions. Residents say they desperately need good farmland within titled lands, because long-term use and the changing weather patterns (intense temperatures and flooding) have affected even tough crops such as cassava. Lumber in Santa Rosa's titled lands has become scarce as have game animals and fish. Residents must travel outside their title to reach good fishing and hunting grounds. The bird trapping industry is depleting populations of ornamental and songbirds.

Many outboard engines travelling the Moruca River have polluted Santa Rosa's main waterways and the water in the Moruca River is no longer safe to drink. Most people now depend on rain water storage tanks. Good drinking water is scarce during the dry season when the creeks dry up and the main rivers are polluted by fuel spills. Residents are worried by the more frequent forest and bush fires that have damaged most of the mature trees on the savannah behind Father's Beach and between the Waini River and Santa Rosa.

25. Recognition and measures sought:

- a. Residents call on the government to carry out a systematic review and correction of titling and demarcation errors (see 16 above).
- b. They urge the Village Council to commit to apply for the extension and make sure the land title is extended in a fair, transparent and just manner in full respect for Santa Rosa's customary tenure system and collective rights to land, livelihood and resources.
- c. Residents want the Village Council to develop new rules, and enforce them so that the Village's limited resources are sustainably managed for present and future generations. These rules should cover improved land management of homesteads, farmlands and community-conserved areas;
- d. Residents urge the Village Council to take more control over community resources and enforce rules on third parties wanting to enter the Village and use its land. Residents demand that the VC investigates thoroughly before agreeing any land transfer, lease or other land use agreement to prevent the illegal transfer or occupation of communal lands in the Village title area;
- e. Residents call for an independent national tribunal to investigate and deal with indigenous peoples' concerns and complaints about the violation of their land and territorial rights. The Tribunal must have the responsibility and power to hear testimonies and evidence and recommend actions as well as a fair process to resolve land issues affecting indigenous peoples and their communities.

Key findings:

- **Father's Beach does not have land title.**
- The village is registered as a Community Development Council (CDC).
- The community applied for a title, but the government responded that the population is too small.
- The village is located within Shell Beach Protected Area, created in 2011.
- Residents are not fully aware of how the protected area might affect their rights and livelihoods.
- Farming lands along the sea coast are affected by floods, high tides and fires.
- Residents have little fresh water other than rainwater, and supplies often run low during the dry season.
- The community is not included in the Amerindian Land Titling (ALT) project work plan.
- The community plans to reapply for land title as an Amerindian Village and seeks advice and support to do this.

1. **Location:** About five miles up the coast from Moruca River mouth (left bank), Moruca sub-region, Region 1.
2. **History:** Plentiful evidence of longstanding Amerindian use and occupation of the area includes well-known former settlements at Moruca mouth and Pomeroun, which later became forts and trading posts during the Dutch colonial period. The foundation date of the current village site is unknown, but residents report that the Dutch ancestors of some of the residents (the Vansluytman family) settled there after they reached the shore and met Amerindians. Other founding families were Evans, Benjamin and Gunpath.
3. **Main neighbouring communities:** Santa Rosa, Waramuri, Wakapau and Manawarin.
4. **Estimated Population:** 9 households with 37 residents (2014).
5. **Identities of residents:** Warau and Arawak.
6. **Local government:** Community Development Council (CDC) consisting of a Chairman and five councillors.
7. **Land use and economy:** Most residents depend on subsistence farming and coastal fishing for their livelihoods. Principal crops include cane, coconut and cassava. The main farming grounds are along the sea coast at Father's Beach and Tiger Beach, but are affected by high tides, flooding and wildfires sweeping in from the savannahs. Fishing is mainly on the coast but also on the right bank of the Moruca River (shared with Wakapau Village, Region 2) and on the left bank of the Moruca River between Father's Beach and Santa Rosa. The seashore around the village and savannah backlands provides craft and construction materials.
8. **Community projects:** Residents are lobbying local government to tackle the rapid erosion of farming land along the sea coast.

9. **Institutions and services:** Father's Beach has a small primary school for seven pupils. Some students attend secondary school at Santa Rosa. There is a local health hut but it does not have a community health worker.
10. **Current land title status:** **No title.** The community is a registered CDC located within Shell Beach Protected Area.
11. **Status of application for title:** **Rejected.** The CDC does not have a record of when the title application was made, but recalls that they had applied under a previous CDC chairman (Orlando Norton). A representative of the former Ministry of Amerindian Affairs rejected the application verbally. The community plans to reapply for a land title and seeks advice and support on how to do this.
12. **Proposed title description (if any):** The original application included a description, but the Chairman who made the submission has left the village and no records of the application or description remain in the CDC files.
13. **Proposed title justification:** Residents stress that they feel strongly attached to their lands and to the ocean. They state *"not even fire, flood, drought, conservationists or even the government can move us from here."* Residents say that they cannot imagine living if their small community were to be divided or if they could not hear the sea.
14. **Response from government (if any):** In 2014, a representative of the former Ministry of Amerindian Affairs told the then CDC chairman verbally that the population is too small and so does not meet the rules for applying for title. Father's Beach community is not satisfied because they have lived on their lands for generations and have never received any recognition or assistance from the government concerning their land tenure.



15. Land and resource conflicts: Fishermen and residents of Father's Beach have seen 'outsiders' from Pomeroon and other places removing boatloads of shell from the beach for construction. Commercial ocean fishing still occurs close to the village. A resident of Pomeroon removed at least 2.5 acres (1 hectare) of mangroves for a gas station at the mouth of the Moruca River. Community lands lie within the Shell Beach Protected Area. Despite many consultations and reports on the development of the management plan, communities affected by the park don't think the authorities obtained genuine free, prior and informed consent from residents before creating the protected area. Residents say that if their livelihoods and their rights to practice their traditional way of using the land are respected, then they will co-operate with the management plan. Some residents are concerned about piracy, which is becoming a threat along the coast.

16. Land security: The greatest worry for all residents is the lack of land title, increasing erosion of the sea coast and the destruction of farming lands to flooding, fires and high tides. They are also extremely worried about the implications of the Shell Beach Protected Area for their livelihoods, but say that they do not yet fully understand how the protected area will affect them.

17. Livelihoods and environment: Currently the residents feel free to use the land to practice their traditional activities, but they are unsure what the future holds as the management plan for Shell Beach Protected Area is being developed. Community members have planted acres of coconuts, but the tides, floods and fires are a constant threat and can destroy all of their farmlands without warning as happened recently with fires from the savannah near Waramuri and Santa Rosa. During dry weather, there is not enough fresh water and the community has to go to distant creeks and rivers including the Moruca River, Haimaracabra Creek and Manawarin River.

18. Recognition and measures sought:

- a. Villagers want to have a land title and become a titled Amerindian Village.
- b. They ask the CDC to press the government or others to help them protect their farmlands with better flood and high tide protection and a better drainage and irrigation system.
- c. Residents urged their council to meet with the residents of Santa Rosa and Waramuri about the burning of the savannah affecting their farming lands.
- d. Residents invite government representatives to visit them for several days and see the canals, trenches, farmlands, mangrove areas, beaches and the savannah to understand the villagers' struggles with the high tides.

Key findings:

- The Village holds a land title, but important customary lands are excluded.
- Several homesteads and settlements, as well as farmlands, hunting and fishing grounds, former settlements and places of special cultural importance, are outside the title boundary.
- There is a longstanding dispute with Wakapau Village about lands on the southeast boundary, which remains unresolved despite negotiations since 2012.
- Manawarin extension is included in the Amerindian Land Titling (ALT) Project.

1. **Location:** Right bank Moruca River, Manawarin River, Moruca sub-region, Region 1.
2. **History:** Ample evidence of longstanding Amerindian use and occupation of the area includes archaeological finds at Komaka Point and Koshu Hill (old pottery). The first mission (St Nicholas Mission and school) was set up at Manawarin in 1943 with founding families including the Miguels. At first there were three settlements along the Manawarin River, occupied by different ethnic groups – Warrau at the Manawarin mouth, Arawaks in the mid-section and Caribs in the headwaters. Former settlements also include Borahara Creek and the mouth of the Manawarin River (outside titled lands) as well as White Sand Creek and Huku Creek inside the title boundaries. Several sites of cultural and spiritual significance show the area has been occupied for a long time, such as ‘Rock Stone’ (in a boundary area disputed with Wakapau) where people seeking knowledge of the spirit world received their training.
3. **Main neighbouring communities:** Akawini, Wakapau, Santa Rosa, Kwebanna, Waramuri.
4. **Estimated population:** 1574 (350 households) (2013).
5. **Identities of residents:** Warau, Arawak and Carib.
6. **Local government:** A Toshao and seven councillors.
7. **Land use and economy:** All residents are subsistence farmers. They grow bitter and sweet cassava and other ground provisions, and produce tobacco, coconut and coffee. Most residents are involved in lumbering, fishing and farming as well as selling cassava bread, *casareep* and other agricultural by-products to earn cash income. Some villagers also make and sell canoes. There are nine small shops owned by villagers. The population is spread out over four settlements, including the old mission site and smaller settlements at Mud Creek, Takatu and Borahara Creeks, which lie both inside and outside the title boundary. Settlements on the boundary lie in Manawarin’s main farming grounds and those at Hide Out Battlefield, Troolie Creek and Haimaracabra Creek also lie outside titled lands. The main fishing areas are at the headwaters of the Manawarin River although residents also regularly visit the sea coast for crabbing. The main hunting and gathering grounds are outside their titled lands including the Borahara head, the Manawarin head and Sawarinap Creek shared with Akawini, Santa Rosa, Waramuri and Wakapao and the Mawerewro Creek shared with Waramuri and Kwebanna. The Takatu and Borahara Creeks (outside or partly outside the title boundary) provide timber for canoes, paddles and fish traps, while the main area for lumbering is on the disputed southeast boundary with Wakapau.

8. **Community projects:** A housing project funded by the InterAmerican Development Bank will provide homes for 25 families, and in 2013 there were a bridge construction project, a road project and a project to build water wells.
9. **Institutions and services:** Manawarin has a large primary school. Secondary pupils attend Santa Rosa secondary school. The Village has a community health post staffed by two community health workers.
10. **Current land title status:** Title was granted to the Village under the 1976 Amerindian Act and in 1991 under the State Lands Act.
11. **Existing title description:** "The area commencing at the mouth of the Manawarin River, Right Bank Moruca River, thence up the Manawarin River to the mouth of the Takatu Creek, thence up the Takatu Creek, thence to an unnamed tributary on its Left Bank, thence up the said unnamed tributary to its source, and that of an unnamed tributary on the right bank Mud Creek, thence down the said unnamed tributary to its mouth, thence west to the Burahara Creek, thence West along the watershed of the Burahara Creek and an unnamed tributary on its left bank to a source of the Saraybay Creek, thence down the Saraybay Creek to the Manawarin River, thence down the Manawarin River to the mouth of the Sawarinap Creek, thence North along the watershed between the Sawarinap and Emuthura Creeks to the South-West corner of the second depth of Lot 210, Kumaka Kwabanna Road, thence North-East along the back boundary of the second depth of Lots 210 to 172 Kumaka-Kwabanna Road, thence South-East to the source of the Haimarakabra River, thence South-East and North-East along the watershed of the Haimarakabra and Manawarin Rivers to the point of commencement."⁹¹
12. **Title suitability: Inadequate.** The disputed parts of the southeast border with Wakapau are officially recognised as lying within Wakapau's title. Residents of Manawarin say that the traditional boundary between the two villages has always been the ridge between the watersheds of the Manawarin and Wakapau Rivers, but in Manawarin's title the boundary description excludes the headwaters of tributaries of the Manawarin River, namely Mud Creek and Takatu Creek. As a result, key customary lands are excluded from the title including the source of the Manawarin and Burahara Rivers. This has caused a continuing dispute with Wakapau affecting both communities. GFC have seized chainsaws from Manawarin residents working in the disputed area and people dependent on logging in Manawarin say they are struggling to meet their needs.
13. **Title demarcation:** According to the legal title description demarcation began in 2010 and ended in 2011, but some sections were never completed (see below). The demarcation team eventually returned in 2013, but the Village does not accept the boundary and map. .
14. **Demarcation suitability:** Villagers are disappointed that the demarcation has given legal status to what they consider to be an inadequate and flawed title area. According to the residents, despite various interventions by surveyors, there is still demarcation work to do in the disputed area and in 2015 this had not been resolved. Villagers feel that they should have been consulted when Wakapau's land was being demarcated since they share common resource areas. Residents of Manawarin removed the GLSC team demarcating the Wakapau boundary when they reached the disputed Takatu area. In 2012 the former Ministry of Amerindian Affairs convened a meeting in Manawarin between Wakapau and Manawarin. The agreement reached said that both villages would continue to use resources in the area including lumber but that Wakapau would receive any royalties as the area was officially part of Wakapau's title. The residents in the Takatu area have lived there all their lives; they feel part of Manawarin and vote in Manawarin, but technically and legally are considered part of Wakapau. Residents report that the flawed titling and demarcation process is restricting their access for gathering, hunting and fishing including in Takatu, Burahara, Wanakabra and Mud Creek areas since these places fall outside their title. Residents blame the government for triggering conflicts between villages

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due to the legal process that imposes individual titles on villages. They recall they tried to resolve these issues collectively through the Moruca Land Council, but this was totally ignored by the government. They consider individual titles are prone to disputes and do not really respect indigenous systems of communal tenure.

We feel that we are no longer free people. They are killing our culture, though they are telling us to maintain our culture. They are stealing our culture in a very smart way. [Village resident, 2013]

- 15. Extension status: Filed in 2007, but still pending.** This application was filed under Toshao Bertie Benjamin. The Village is part of the Amerindian Land Titling (ALT) project work plan. Extension work was scheduled for Year 3, but in late 2016 it had not started.
- 16. Extension description:** From the source of the Mariwrio Creek, thence in an easterly direction between Akawini and Wakapau watershed.
- 17. Extension justification:** Key areas of customary lands were left out from the existing land title and the Village needs more farmland. Residents tried to resolve land shortage issues through the Moruca Land Council, which they strongly supported (Section 4.5). However, this process broke down for reasons that residents say they are unaware of, and the land issue remains unresolved.
- 18. Response from government:** The government said that until the community had accepted demarcation their extension application could not be resolved. As a result the residents reluctantly agreed to accept demarcation, but they are still waiting for their extension (see 15 above).
- 19. Land and resource conflicts:** The main issue for residents is the inter-village dispute over access to key resource areas (see 11 and 14 above). Residents feel that they are now trapped by their boundaries and are not free to step outside their title for fear of penalties imposed by the GFC or other government authorities.
- 20. Land security:** See 12, 14 and 19 above.
- 21. Livelihoods and environment:** Residents feel that their livelihoods are threatened by insecure tenure rights and restrictions on resource use enforced by forestry authorities. Commercial timber species such as *kabakali*, locust and purpleheart are all depleted within Manawarin's titled lands. The creeks and wells provide good quality drinking water, although residents now often have to dig deeper wells during the dry season.
- 22. Recognition and measures sought:**
 - a. Residents continue to insist that the demarcation process should be rectified in a fair manner, especially along shared boundaries between villages.
 - b. Residents also urge the Village Council to follow up and update its 2007 extension application.
 - c. The Village seeks solid guarantees from the GGMC and GFC that no licenses or permits for mining or logging will be issued within the requested extension areas while the application is being processed.

Key findings:

- Three Brothers holds a title but it excludes key hunting areas.
- Apparent legal loopholes in the title could permit government to claim all low-lying lands below river high water levels as state lands.
- Shell Beach Protected Area (SBPA) surrounds the Village and now limits options for applying for a land title extension.
- Residents are concerned that the SBPA may restrict fishing, hunting and gathering activities, but to date it is not clear how residents will be affected.
- Farming land is scarce as land is often flooded; residents are pressing the government to invest in land reclamation.
- The Village is not included in the Amerindian Land Titling (ALT) project's work programme.

1. **Location:** Both banks of Waini River, sea coast, Mabaruma sub-region, Region 1.
2. **History:** There is plentiful evidence of longstanding Amerindian use and occupation of the region including shell mounds and burial grounds in the area known as the 'first lagoon' on the lower Waini River, as well as important spiritual sites such as 'the rock' (a big rock considered to be the home of Water People) at the confluence of the Baramani and Waini Rivers. Villagers affirm that they and their fore parents have been living on this land for generations. Founding families of the Village include the Walkers, Chu, Viveiros, D'Olivera, Duncans, DaSilva and Rodrigues.
3. **Main neighbouring communities:** Warapoka, Assakata and Almond Beach.
4. **Estimated population:** 320 (2014).
5. **Identities of residents:** Warrau, Carib, Arawak and mixed ethnicity.
6. **Local government:** A Village Council with a Toshao and six councillors.
7. **Land use and economy:** The main settlement is St Johns (between the second and third lagoons) with two satellites at Kachikamo (bullet tree area) and the Lower Waini River, which was the main settlement in the 1980s and 1990s. Residents have traditionally used the wetlands, lagoons and forests on both banks of the Waini River (including as far as the mouth of the Baramani) for farming, fishing, hunting and gathering including harvesting of manicole (palm cabbage) on the left bank of the Waini. They visit the sea coast for crabbing and turtle egg harvesting. Residents depend on subsistence farming for their livelihoods including cassava, coconut, watermelon, eddoes and greens; farming lands may suffer from flooding. Residents sell fish and some



products made from crabwood oil and palm cabbage.

8. Community projects: Three Brothers has a small crabwood oil soap project involving several residents.

9. Institutions and services: The Village has a primary school while students attend secondary school either at North West Secondary School or at Hosororo Primary tops. There are two health huts staffed by two community health workers.

10. Current land title status: The Village was titled on 3rd August 2007 under the State Lands Act.

11. Existing title description: Tract A – The area commencing at the point approximately 9.1 miles from Waini Point on the right bank of the Waini River, 66 feet from the mean high water mark, thence in a north easterly direction for approximately 2 miles from the thalweg of the Waini River, thence up the right bank of the Waini River along a line parallel to the thalweg of the Waini River for approximately 41 miles, thence in an approximate southwest direction for approximately 1.9 miles to a point 5.2 miles above the mouth of the Mokoboina Creek, 66 feet from the mean high water mark of the Waini River, thence down the right bank of the Waini River to the point of commencement. Save and except all lands legally held. Tract B – The area commences at a point 8.5 miles from the Curri-Curri Point up the left bank of the Waini River, 66 feet from the mean high water mark, thence in a south westerly direction one mile from the thalweg of the Waini River, thence up the left bank of the Waini River along a line parallel to the thalweg of the Waini River for approximately 41.5 miles, thence north east for approximately 0.9 of a mile to a point 5.1 miles above a point opposite the mouth of the Mokoboina Creek, 66 feet from the mean high water mark of the Waini River, thence down the left bank of the Waini River to the point of commencement. Save and except all lands legally held.

12. Title suitability: Inadequate. Residents were dismayed that the former Ministry of Amerindian Affairs (MoAA) failed to honour commitments made during the boundary negotiation process. The title deed excludes all land “within 66 feet of the high water mark” which residents point out could in theory exclude all of their title area, as their land is low-lying; at high tide the water can go up to three miles inland. Residents are unsatisfied because in their original application for title the boundary began at the Baramani Creek but they finally settled for the boundary at Luri Creek (about five miles downstream) after former MoAA officials told them that Santa Rosa Village was applying for the same area and advised them to adjust their application to avoid conflict. Santa Rosa villagers however report that they did not include this area in their extension application in 2008. Three Brothers residents insist that their title should include equal amounts of land on both banks of the Waini, but this was reduced to only one mile on the left bank thereby excluding key hunting areas. Residents were not formally consulted, although before the application they discussed the proposed boundary in one meeting with a former MoAA official. There was no further consultation and residents were dismayed to see when the title was issued that they had ‘lost out’ on the left bank of the Waini.



- 13. Title demarcation:** Completed. Demarcation was carried out on 22nd October 2010 with several residents involved as line cutters.
- 14. Demarcation suitability:** Consistent with title description although some creeks are named incorrectly on the demarcation map.
- 15. Extension status:** No application filed to date (see 18 below).
- 16. Extension description:** N/A
- 17. Extension suitability:** N/A
- 18. Extension justification:** Three Brothers has not applied for extension as villagers perceive that the existing title is completely encircled by the Shell Beach Protected Area (SBPA). However SBPA boundary maps show that the park area does not go beyond the Village's western boundary on the left bank of the Waini River.⁹² The community wants the park boundaries to be made clear so they can make decisions on land titling and extension options.
- 19. Response from government:** N/A
- 20. Land and resource conflicts:** SBPA overlaps key hunting areas as well as palm cabbage grounds on the Waini River. In practice residents continue their traditional activities on the left bank outside their title. Residents have not yet been prevented from crabbing but park rangers from the Guyana Marine Turtle Conservation Society (GMTCS) stopped them gathering turtle eggs, even before the protected area was established. Before creating the SBPA, the Protected Areas Authority held workshops with the residents, but they say they did not feel fully informed by these meetings. Community members now worry that their traditional activities including crabbing, turtle egg harvesting and cabbage gathering may be restricted by the rules and regulations of the park. Residents report occasional fishing, hunting and logging by 'outsiders' from Moruca and Mabaruma area without the permission of the Village, but they have not made any formal complaints.
- 21. Land security:** The Village considers that loopholes in the title deed weaken their land rights by excluding land 66 feet from the mean high water mark. This could permit classification of their entire title as state land (see 12 above).
- 22. Livelihoods and environment:** The main problem for residents is the lack of farm land due to their low-lying land. Although the soil is rich, flooding and high tides affect the crops and the Village has no land on higher ground or help with land drainage and irrigation. Residents say that wetlands and fish are healthy and productive although *morocut* fish stocks have decreased. This may be due to the heavy pollution of the Barama River (tributary of the Waini) stopping the freshwater fish migrating up the Barama and Waini, especially during the dry season when the water level is lower and pollution increases. Drinking water is also a problem during the dry season as the water becomes increasingly salty.
- 23. Recognition and measures sought:**
- a. The Village Council wants their concerns about the SBPA to be dealt with, so that their livelihoods are not restricted in their discussions and correspondence with the government.
 - b. They also seek government support to improve their food security by draining and irrigating farming land affected by flooding and high tides.

⁹² See, for example, maps in Kandaswamy, S (2014) *Volume 1. SBPA Management Plan - Final, December 15, 2014* <http://nre.gov.gy/wp-content/uploads/2016/05/Protected-Area-Mgmt-Plan-Shell-Beach.pdf> See also MNRE (2013) *Guyana National Land Use Plan "Protected Areas Location"* at Figure 2-25 <http://www.lands.gov.gy/National%20Land%20Use%20Plan%20GoG%20June%202013%20with%20cover%20pages.pdf>

Key findings:

- **Almond Beach does not hold a title.**
 - The village is within Shell Beach Protected Area (SBPA).
 - Residents don't know how the protected area will affect their livelihoods.
 - The village has not yet applied for a title, and residents don't have information on how to apply.
 - The SBPA has restricted some fishing practices, but residents broadly support the efforts to protect turtles.
 - Scarce farming land along the seacoast is being rapidly eroded; residents are lobbying local government to reclaim land.
 - Residents have no fresh water other than rainwater and supplies often run low during the dry season.
 - Almond Beach is not included in the Amerindian Land Titling (ALT) project work plan.
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1. **Location:** Seacoast, Mabaruma sub-region, Region 1.
2. **History:** There is much evidence of longstanding Amerindian use and occupation of the area including shell mounds on the right bank of the Waini River. The Da Silva, James, Francis and Augustus families founded the current village site in the late 1980s, but there are many former Amerindian settlements along the seacoast between Waini Point and Tiger Beach, including others founded by the Da Silva family. In the past, Amerindian fishermen in the wider region set up camps along the seacoast where they stayed for several days at a time. This practice continues until today.
3. **Main neighbouring communities:** Three Brothers.
4. **Estimated population:** 80 residents (11 households) (2014).
5. **Identities of residents:** Warrau, Arekuna and Arawak.
6. **Local government:** Community Development Council (CDC) consisting of a Chairman and several councillors. The CDC is currently not functioning.
7. **Land use and economy:** Although some residents rely on buying food from Komaka, many depend on subsistence farming. Principal crops include cassava, corn, watermelon, coconut, peas and bora. Traditional foods and drinks include cassava bread, crab, turtle, fly and cherry wine. Most residents farm along the seacoast at Almond Beach and further east at Luri Beach, Anita Beach and Kamwatta. But the sea is rapidly eroding these excellent farming lands and residents are looking to prepare and irrigate land south of the village. Hunting was never their main livelihood as there is not much game in the forest, but there is some hunting at Tiger Beach, east of Almond Beach. Fishing is very good all along the seacoast from Waini Point to Tiger Beach, where residents gather coconut shells for making craft.
8. **Community projects:** Residents are lobbying local government to help prepare land south of the village because of the rapid erosion of farming land along the seacoast.



- 9. Institutions and services:** Almond Beach has a primary school while secondary students go to at North West Secondary School or at Santa Rosa. There is a local health hut but no community health worker.
- 10. Current land title status: No title.** The community is a CDC located within Shell Beach Protected Area.
- 11. Status of application for title:** Villagers have not applied for a communal land title and don't know what it might involve. Several villagers have held land in leasehold since the 1980s, but stopped making payments when the area was designated a protected area.
- 12. Proposed title description:** N/A
- 13. Proposed title justification:** N/A. Although there is no title application in process, residents stress that they are very attached to their place and to their seacoast way of life. This gives them a genuine sense of wellbeing such that they say that they don't need a health worker. Many villagers affirm that they would like to stay in the area for as long as they can imagine.
- 14. Response from government:** N/A
- 15. Land and resource conflicts:** Residents are generally content with the SBPA, although they admit that the park's no-fishing zone has affected them because they can only fish during the day (no nets may be left out overnight). Residents say that they are not fully informed or engaged in the protected area management plans and activities. Nevertheless, many are happy to be helping with the conservation work. The park provides jobs for villagers for six months of the year during the turtle season when many tourists come to the area. Residents have attended some meetings and discussions about the protected area but until the rules of the management plan are drawn up, they don't really know how the area will affect them.⁹³ Most residents support turtle conservation, but say that the rules must be applied carefully so if people are hungry they should not be stopped from hunting or fishing.

⁹³ The 2014 SBPA Management Plan does not set out specific rules for limiting indigenous livelihood activities, but emphasises the "urgent" need for research into the "...impact of traditional resource uses within and at the periphery of SBPA (e.g. manicole and morocut harvesting, illegal logging, turtle/wildlife trappings, and harvesting of shells)". See Kandaswamy, S (2014) *Ibid.* at 24

16. Land security: The residents' greatest concern is the increasing erosion of the seacoast and the loss of vital farming lands, which caused 10 families to move away from Almond Beach in 2012. Residents are trying to lobby the local government to reclaim some land to the south, but the Regional Executive Officer has informed them that there are no funds for such a project. Residents admitted that they did not know what, if any, legal tenure they could be offered over these areas particularly now that the SBPA has been created.

17. Livelihoods and environment: Fishing is excellent, but residents are a little concerned about some of the restrictions on using fish nets in the protected area during the turtle season. They are waiting to see the final rules once the management plan has been developed. They worry that some of their activities might violate protected area rules of which they are not yet aware. The forest does not provide much building material and suffers from frequent fires. It is still recovering from a big fire in 1997. Soil fertility is excellent for farming, but there is not enough farm land due to erosion. Residents therefore usually have a small garden outside their house for vegetables, melon, pumpkin, *bora* and cassava and larger areas for coconut palms. Many people still have to buy food from Komaka or Mabaruma. Residents depend entirely on rainwater, so access to clean water can be a problem. On a few occasions residents have had to ask for help from the regional government during the dry season.

18. Recognition and measures sought:

- a. Residents are seeking government support to reclaim land south of the community to make up for the continued erosion of their farming lands on the seacoast.
- b. Residents are keen to support turtle conservation efforts but would like the National Protected Areas Commission (NPAC) to guarantee that the community can access resources for their subsistence needs.
- c. Residents want information from the government about how they can get legal land tenure over farming lands and access to marine and forest resources, including the possibility of securing a communal title.
- d. Residents call on their CDC to get more information from the Environmental Protection Agency and NPAC about the rules that apply to Almond Beach. They ask for better interaction with the protected area so they can get information for making decisions.

Key findings:

- Assakata holds a land title, but it leaves out customary lands used for fishing and hunting.
- Farming lands, craft materials, game and fish are now scarce within Assakata's titled lands.
- The Village stopped agreements with local logging operators in their titled lands after the loggers failed to keep to agreed terms and conditions.
- The Guyana Forestry Commission (GFC) gave out forestry concessions on Morawaha Creek (left bank) without the Village's agreement. GFC cancelled these concessions in 2014 in response to Village complaints.
- Residents still use their customary lands for hunting and fishing, but feel they can't use their untitled areas freely due to possible harassment by GFC officials.
- Assakata filed a land title extension application in 2012, but the government rejected the application on technical grounds and did not process it.
- The Village requests technical advice on how to meet the rules for an extension application.
- Residents wish to consult and coordinate with Santa Rosa Village on land title extensions.
- Assakata is not in the Amerindian Land Titling (ALT) Project's work plan.

1. **Location:** Baramani River, Moruca sub-region, Region 1.
2. **History:** There is much evidence that Amerindians used and occupied the area for a long time, including shell mounds in the swamplands at Quaritari backdam, about three miles from Assakata mission (founded in 1938). Ancient clay pots and jugs have been found in many places including at Bamboo Landing, Blackwater and Morawaha. The Village was founded by the Henry, Charles, Sutton, Bloomhart, Francis, Aloysius, Hosey and Lucas families. Some of these ancient sites are still occupied up until today e.g. Simarupa downstream on the Assakata River.
3. **Main neighbouring communities:** Kaniballi, Santa Rosa and Warapoka.
4. **Estimated population:** 300 (44 households) (2013).
5. **Identities of residents:** Warrau, Arawak and Akawaio (one family) and some mixed race.
6. **Local government:** A Village Council with a Toshao and four councillors.
7. **Land use and economy:** All residents are subsistence farmers growing ground provisions and fruits including bitter and sweet cassava, plantains, eddoe, yams and pineapple. The population is spread out in four settlements. Most residents live in the central Assakata settlement and Simarupa. Morawaha and 1st Landing are smaller settlements and homesteads with only a few families. The main farming grounds are in central Assakata, Kuratari, Simarupa backdam and Kumaka Point (all inside the land title) and Calabash Island (outside the title). The main hunting grounds are all outside titled lands at Kumarowa Creek (right bank Assakata), Morawaha Creek (left bank), Axe Creek (Waini), Wacuma Creek, Baramani (left bank) as well as on Baramani Lake and River and Morebo River. The Village shares customary use of many of these areas with Kwebanna, Warapoka and Kaniballi. Fishing grounds include the Morawaha Creek and

the Baramani River, but important areas also lie outside the title boundaries on the Biara and Dog Creeks, which are shared with Santa Rosa as well as coastal areas. The richest areas for construction and craft materials are outside the land title on the Baramani River. Inside their land title residents get materials from the Assakata savannah and backdam.

8. **Community projects:** No information obtained.
9. **Institutions and services:** Assakata has a primary school. Those able to go to secondary school and where accommodation is available attend Santa Rosa secondary school as boarders. The Village has a community health post staffed by a community health worker.
10. **Current land title status:** Title was granted under the 1976 Amerindian Act and re-issued in 1991 under the State Lands Act. The title is registered under Section 71 of the Land Registry Act.
11. **Existing title description:** "The area commencing at the mouth of the Assakata River, left bank Biara River, left bank Baramani River, right bank Waini River, thence up the Assakata River to its source, thence north-west to the source of the Marawaka Creek, left bank Baramani River, thence down the Marawaka Creek, to its mouth, thence up the Baramani and Biara Rivers to the point of commencement."⁹⁴
12. **Title suitability: Inadequate.** Villagers are not satisfied with their current land title because it leaves out important areas traditionally used for hunting, fishing and gathering activities. Most land within their title is wetland and unsuitable for farming, with craft materials such as *troolie* particularly scarce. Residents are unhappy that since demarcation they don't feel free to take resources from their untitled customary lands including the watershed between the left bank of the Morowaha River and the Waini River as well as the right bank of the Assakata River, which are now defined as state lands (see 19 below). Meanwhile, hunting and fishing camps on the right bank of the Assakata are now officially on state lands while the homes of some residents on the left bank of the Morowaha are also outside the title.
13. **Title demarcation:** Completed in 2008 and in accordance with title descriptions in the 1976 Amerindian Act and 1991 title deeds.
14. **Demarcation suitability: Inadequate.** The residents consider that demarcation only gave legal protection to part of the original title area, leaving out crucial hunting, fishing and gathering grounds (see 12 above). A few residents were partly involved in demarcation as line cutters, but no formal meeting was organised with the wider Village to discuss the boundary to be demarcated.
15. **Extension status: Application unresolved.** In 2002, Assakata Village was one of six Villages in the Moruca Land Council making a joint application for collective title over lands and territories that they traditionally occupy and use. The Guyanese government never acknowledged this application (see Section 4.5). After the Moruca Land Council folded, the Village held a General Meeting on 24th November 2012, which approved an extension application for Assakata.
16. **Extension description:** From the mouth of



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the Kumarawa Creek, right bank Waini, down the Waini River to the mouth of Baramani River, up the Baramani, left bank to Biara Mouth, up Biara to Quanawini Creek, left bank Quanawini, then south across to the source of Kuiarau River, right bank down to the midway point of the Kuiarau River then northwest to Kumarawa Creek then down the right bank to the point of commencement.

- 17. Extension justification:** Much of the Village's main farmlands, fishing, hunting and gathering grounds are outside the title (see 7 and 12 above). Residents consider that these lands are rightfully theirs and that they have been taken away from the Village. They feel that the government could sell or lease them to outsiders.
- 18. Response from government:** Assakata got a formal reply to their extension application in January 2013 saying that they must resubmit the application following the rules of the 2006 Amerindian Act and that extensions will be dealt with on a 'first come, first served basis.' In 2015 the Village had not yet re-submitted the application and is seeking technical help to understand what the Ministry wants.
- 19. Land and resource conflicts:** In the past, non-resident loggers cut timber in titled areas based on verbal agreements with the Village Council. According to residents these agreements worked well with some loggers, but not others who destroyed forest resources, damaged the community's lumbering equipment and did not pay the royalties that were owed. In 2012, a new Council was elected and, after discovering these problems, it ended all existing agreements with loggers. Now only residents carry out lumbering activities in Assakata's titled lands. Without consulting the community, GFC allocated one logging concession on the left bank of the Morawaha Creek in Assaka's untitled customary lands. The loggers trucked logs through the Village without the villagers' agreement, or sharing benefits with them. Residents were annoyed that the logging scared off animals and that loggers questioned villagers hunting in the area, treating them as if they were spies prospecting for timber. Residents appealed to the GFC to stop these abuses and injustices, and the concession was cancelled in 2014.
- 20. Land security:** Residents do not feel secure on their untitled customary lands. They filed an application for extension to get legal rights to these lands, but are uneasy about the official response that applications will be dealt with on a first come, first served basis, fearing that their own lands may be given to rivals.
- 21. Livelihoods and environment:** Loggers prevented residents freely using the concession area on the left bank of the Morawaha until 2014, when the concession was stopped, but access and use of the same area is still controlled by the GFC. Villagers also feel they are unjustly restricted from taking lumber from the right bank of the Assakata Creek, which is likewise defined by the government as 'state land'. Nonetheless, residents still hunt and fish in both areas. Over the years logging has depleted commercial timber species such as greenheart, wallaba and washiba. Residents say that game animals and fish are now scarce, particularly *haimara* and *lukanani*.
- 22. Recognition and measures sought:**
 - a. Residents urge their Village Council to take immediate steps to gain legal ownership and control over their untitled traditional lands.
 - b. Residents also demand at a national level that concessions affecting indigenous peoples' traditional lands must be cancelled if they do not have the consent of the village, and no more concessions should be issued on such lands.
 - c. Many residents know that other villages share these problems, especially those who joined protests in 2012 about Isseneru Village in Region 7. Assakata calls on the government to "*Stop the foot dragging on the land issues affecting indigenous peoples in Guyana*" and on the communities to work together because "*this is the time for Amerindian people to think together and separate from politics.*"

Key findings:

- Kwebanna holds a land title, but it excludes camps, farms, fishing and hunting grounds and sacred sites.
- The demarcation follows the 1976 title description, but villagers consider that the title does not cover all of their customary lands.
- Many villagers only realised key areas were excluded from the 1976-1991 title after the GFC demanded permits and issued fines for logging on 'state land' that the residents consider to be rightfully theirs.
- Residents don't have enough farm land and commercially viable timber within titled land.
- Large-scale industrial logging and mining concessions, without the free, prior and informed consent of residents and the Village Council, is seriously harming customary land south of Kwebanna.
- The Village extension request is included in the Amerindian Land Titling (ALT) Project work plan.

1. **Location:** Waini River, Moruca sub-region, Region 1.
2. **History:** Residents say that the village was founded in the 1950s by the Jackson, Angus, Williams and Smith families. There is a lot of archaeological evidence for Amerindian use and occupation of the area, including an important cultural landmark up the Mariweru Creek and many shell mounds along the Calabash Creek. Former settlements are on the middle reaches of Anau Creek (left bank Waini), Redhill, (lower Mariweru (right bank Waini)), Macaw Falls, Fredricks Place and Baboon Creek (left bank Waini). Macaw Falls is an important spiritual site where residents pray and perform religious ceremonies.
3. **Main neighbouring communities:** Santa Rosa, Kaniballi and Manawarin.
4. **Estimated population:** 741 (210 households) (2011).
5. **Identities of residents:** Akawaio, Carib, Warrau, Arawak and mixed race.
6. **Local government:** A Village Council with a Toshao, deputy and seven councillors.
7. **Land use and economy:** The main farming grounds in the title are on family plots along the Kumaka-Kwebanna Road. Each family is allowed 10 acres (4 hectares) subject to VC approval. Other farming grounds are at Kwitaro Creek one mile upstream from Kwebanna Landing, and downstream at Kuiarau mouth. There are also farming grounds outside titled lands, along the right bank of the Waini downriver from Kwebanna Landing towards Bamboo Landing and on the left bank of the Waini, including at Anau Creek, Baboon Creek (eight miles from Kwebanna landing) and Hanaida Creek (two miles from Kwebanna Landing). Other farming areas outside the titled land are around Tabaikuru Creek (six miles from Kwebanna Landing), Mariweru Creek, Anapari Creek and land along the right bank of the Waini River including at White Creek, more than 25 miles from the main village. The main crops are bitter and sweet cassava, plantain, eddoes, white yams, corn, *callaloo*, *bora*, pineapples and bananas. Other crops include ochro, watermelon, tomato, cucumber, egg plant as well as orange, lemon, limes, tangerine and coconut.



Hunting grounds within the title include the upper Kuarau River but most hunting grounds lie outside the title west of the Waini River and all the lands south of Inaitaru River up to Turtle Creek above Macaw Falls. Many of these areas are shared with neighbouring villages including the upper Kuarau (Santa Cruz), Manawarin head (Manawarin) and Akawini head (Akawini). Fishing grounds are all along the upper Waini and in rivers and minor creeks. Key fishing grounds include Canister Falls and the Kuarau River. Fishing areas outside the titled area include all the creeks south of Inaitaru River up to Macaw Falls and Turtle Creek, as well as creeks across the Waini River flowing into its left bank including to Marebo (lower Waini) and also to the Waini mouth, where residents collect crabs and go sea fishing in August (more than 70 miles from Kwebanna by river). Gathering grounds for craft and construction materials, bush medicines and bush foods are mainly in the high bush south of Kwebanna Village outside the demarcated title up to Macaw Falls, including areas around Mariweru Creek and White Creek.

Most income is from lumbering, but residents also get money from farming and small-scale mining including working in mining fields outside the community. Previously residents worked for Mr Mazaharally, the owner of a saw mill in the Village, but he left due to conflicts with the villagers and Village Council.

- 8. Community projects:** Villagers run their own logging operations, and have their own sawmill and dressing machinery, powered by a 75 KVA generator. The generator is not connected to the village as cables and transformers are lacking. Farmers also sell produce to the local hot meals programme and to village shops. There is a Digicel transmitter mast in the village; the company pays GY\$30,000 a month to the VC.
- 9. Institutions and services:** Kwebanna has a health centre with a health worker and midwife. The village has a primary school. Secondary school students attend Santa Rosa Secondary.
- 10. Current land title status:** Land title was granted to the Village under the 1976 Amerindian Act and in 1991 under the State Lands Act.
- 11. Existing title description:** "The area commencing from Kwabanna Landing, right bank Waini River, thence down the Waini River to the mouth of the Kuarau River, thence up the Kuarau River to its source, thence to the north-eastern corner of the second depth of Lot 321, Kumaka-Kwabanna Road, thence south through the reserve between Lots 321 and 319 and Lots 320 and 322 to the south-western corner of the second depth of Lot 320 Kumaka-Kwabanna Road, thence south to the source of an unnamed tributary, left bank Manawarin River, thence down the said unnamed tributary to its mouth, thence up the Manawarin River to its source, thence west to the source of the Inaitaru River to its mouth, right bank Waini River, thence down the Waini River to the point of commencement."⁹⁵

95 Schedule to 1976 Amerindian Act

12. Title suitability: Inadequate. Residents complain that title is insufficient as it only covers a fraction of their traditional lands.

13. Title demarcation: Complete. Demarcation took place in June 2007 and the map was completed in July 2007, but not passed to the Village until 2008. The demarcation lasted three days. It involved surveying and marking of wooden and iron palls at specific points without natural boundaries (mainly in watershed areas between river catchments). The surveyors did not walk or travel by boat along natural creek boundaries, but instead recorded the described boundary in accordance with local knowledge and previous legal descriptions. When the field demarcation was completed, about 15 residents met in the village office to verify a written description of the boundary, as no demarcation map was available at this time. The Village signed a written approval document in June 2007, but villagers thought that they were agreeing to their own description and not the description demarcated according to the 1976 Amerindian Act.

Villagers affirm that their own description was: "The area commences at Kwebanna Landing right bank Waini River, thence down the Waini River to the mouth of the Kuiarau River, thence up the Kuiarau River to its source and across the Kumaka-Kwebanna Road in a straight line in a SSE direction to the source of Suwarinap Creek (called an 'unnamed' tributary by GLSC), thence down the said tributary to its mouth on the Manawarin River, thence up the Manawarin River to its source, thence in a SW direction for approx 5000 feet to the source of the Kuruparu Creek, thence down the said Kuruparu Creek to its mouth on the right bank of the Mariweru River and thence down the same river to its mouth on the right bank of the Waini River, thence down the RB of the Waini River to the point of commencement."

14. Demarcation suitability: The demarcation follows the 1976 description, but villagers are disappointed that it reinforces a 1976 boundary that 'sliced off' a large portion of traditional land between the Inaitaru River and the Mariweru River. Elder residents Mildred Hosey and Stephen Domingo recall that the Mariweru Creek and mouth to the south of Inaituru River was part of a boundary of a former Amerindian Reservation area. The Village appealed to the GLSC office but officials dismissed community concerns about the demarcation, saying that nothing could be changed and that GLSC "never makes a mistake."

15. Extension status: Filed but unresolved. The Village Committee sent an application and a justification letter to the former Ministry of Amerindian Affairs in 2011. In late 2011 the Minister sent a short reply to the VC that extensions would be dealt with on a 'first come, first served' basis. Although the ALT team did visit Moruca sub-region in March 2015, the VC says that they did not visit Kwebanna. Villagers are very troubled by the use of the term 'first come, first served' and question what this means. They insist that they are the 'first people' in Guyana and have used the area for generations. Residents maintain that Kwebanna village has prior customary rights over ancestral lands including around Macaw Falls and that these rights must be recognised before those of any companies or other outsiders. Villagers also complain that no-one ever asked for their agreement before giving rights to mining and logging companies that appear to have concessions in the area covered by the extension application (see below).

16. Extension description: Kwebanna is seeking legal recognition for the following full tract of land: "The area commences at Kwebanna Landing right bank Waini River, thence down the Waini River to the mouth of the Kuiarau River, thence up the Kuiarau River to its source and across the Kumaka-Kwebanna Road in a straight line in a SSE direction to the source of Surinap Creek (called an 'unnamed' tributary by GLSC), thence down the said tributary to its mouth on the Manawarin River, thence up the Manawarin River to its source, thence in a southwest direction for approx. 5000 feet to the source of the Kuruparu Creek, thence down the said Kuruparu Creek to its mouth on the right bank of the Mariweru thence up the Mariweru along its right bank to its source, thence in a straight line for 2.75 miles to the source of Turtle Creek, and then down Turtle Creek to its mouth on the right bank of the Waini River above Macaw Falls, thence down the Waini River (right bank) to the point of commencement at Kwebanna landing." In 2015 the Village discussed this proposed extension with its neighbour Akawini,

which shares resources in parts of the extension area. The community also plans to consult with other neighbouring villages.

17. Extension suitability: N/A

18. Extension justification: This extension will provide legal title for traditional lands that are used for customary hunting, fishing, gathering, farming and lumbering over a tract of land south of Kwebanna Village towards Turtle Creek (right bank Waini River). Residents stress that

Using the same plot makes the soil infertile and so the village desperately needs more farming land. Our traditional farming lands are located outside the current title area and this is why we are applying to have our lands recognised under an extension. Our fertile lands are found in places like Mariweru Creek that are outside the title. We must have those lands safe for our children and grandchildren. [Resident and farmer, Kwebanna Village, 2012]

19. Response from government: The Village Council has learned that the Village is included in the ALT work plan, but does not understand what 'Year 2' and 'Year 3' mean. The Village does not have a copy of the ALT project document.

20. Land and resource conflicts: Untitled customary lands south of Kwebanna are occupied by CANAMEX, a Canadian mining company. Villagers say that they only learned about the mining concession indirectly in 2009 through the regional authorities. They have never seen a map of the mining concession and don't know which area it covers nor do they have any details about the mineral permissions under this GGMC concession. The company was doing exploratory drilling east of Macaw Falls on Kwebanna traditional lands within the requested extension area. It told villagers that "all the land around Macaw Falls belongs to CANAMEX". Villagers report that the company built a bike-ATV trail from Macaw Falls to a logging road some ten miles inside the forest.



Most of the untitled customary land south of Kwebanna has been overlapped by forestry concessions. GFC maps dated 2009 showed a Timber Sales Agreement (TSA) belonging to A Mazaharally and Sons Ltd (dated 1990), for a large area of untitled traditional lands stretching from Inaitaru Creek right down Turtle Creek from its mouth to its source and back to the head of Akawini River. Villagers only learned of this concession in 2009, when GFC provided maps in connection with fines on villagers for alleged 'illegal logging' on their own traditional (untitled) lands. Barama Company (Samling Global Ltd) reportedly occupied this area for several years and the company was still active in 2012, although by November 2016 the concession had expired and the government had not renewed it.

Villagers reported destructive logging and an extensive network of logging roads in 2012. Information in 2014 showed that the Chinese logging firm Bai Shan Lin had acquired interests in the same area through Kwabanna Wood Products, which had entered into a logging agreement with Bai Shan Lin.⁹⁶ In September 2016, the government announced cancellation of five Bai Shan Lin concessions in different parts of Guyana, including over 87,361 ha (337 square miles) in the

⁹⁶ "Bai Shan Lin uses Guyanese to acquire large concession" *Kaieteur News* April 29, 2015 <http://www.kaieteurnews.com/2015/04/29/bai-shan-lin-uses-guyanese-to-acquire-large-concession/>

former Kwebanna Woods concession, south of Kwebanna.⁹⁷ It is not clear if the Chinese logging business will contest these GFC decisions.⁹⁸ No information has been obtained on the government's plans for these former concessions defined as 'forest estate' by the GFC, but claimed under several village extension applications, including the one submitted by Kwebanna Village.

21. Land security: The villagers feel deeply unsatisfied and perceive that the government has, without their agreement, sliced off a large part of the lands they know to be theirs. The Village is not happy with large industrial logging and mining concessions imposed on their untitled customary lands (see 20 and 22). Outside the title boundary, the GFC now requires permits for any village logging and fines villagers for lumbering. This has seriously undermined the village economy as 70% of families depend on lumbering and there are few options to cut good timber on titled lands anymore. Most of the good lumber was cut by loggers including Mazaharally in the 1980s (see 22). Residents feel that they have lost fundamental freedoms. They underline that their forefathers had always used lumber and forest materials to trade for goods as well as using the forest for subsistence. They therefore maintain that their commercial use of the forest is part of their traditional practices and so part of their customary rights to freely use the resources on their lands. Villagers consider that the current set up, which only allows subsistence activities, is unjust.

22. Livelihoods and environment: Residents say that production from farmlands inside the title has gone down, and past logging by Mr Mazaharally and others has depleted the forest (see below). Villagers point out that their existing farming lands in the title are worked over and *"don't produce much any more and cannot produce big crops like the high forest."* Some people are already farming outside their 10-acre plots on traditional grounds outside the title to the south, and other farmers are planning to do the same. Mr Mazaharally and Mr Sancho logged Kwebanna's lands for 15 years until the Village Council evicted them due to their abuse of the village work force. Today only less valuable lumber like *kabakali, mora, tatabu, kareti, wallaba, oolu* and *batseed*, remain inside the title which means that the earnings of village lumberers is drastically reduced.

Kwebanna residents are deeply concerned that industrial logging companies are 'eating out' the land and that there will be nothing left for their children and grandchildren. They are especially worried about intensive logging by Asian logging firms with little or no benefits for the Village except low-paid employment for some village men and youths. Villagers reject GFC's claims that industrial loggers do 'low impact logging'. Villagers complain that large areas of their forest are criss-crossed by big logging roads built by Barama Company. Industrial logging with large machines can remove more than 100 trees a day, while small-scale logging by villagers might cut one or two trees. Villagers said that Barama cut all commercial species above 14 cm diameter at breast height, which cleared young trees out of the forest.

Residents are concerned about permits issued to mining companies and future mining around Macaw Falls, which is a special place where community members and their ancestors have traditionally hunted and fished in the dry season.

23. Recognition and measures sought:

- a. The GFC has not responded to the VC's concerns about the disputed boundary with the logging concessions on Kwebanna's southern boundary, and has fined residents.
- b. The Village will continue to lobby against the concessions on its untitled lands and will include these lands in its extension application.
- c. Residents insist they will not give up on their land title extension plans.
- d. The VC wants more information from GGMC about CANAMEX and the overlap of Kwebanna's and neighbouring villages' customary lands with mining concessions.

97 "GFC to take back Baishanlin concessions" *Stabroek News* 6 September 2016 <http://www.stabroeknews.com/2016/news/stories/09/07/gfc-take-back-baishanlin-concessions/>

98 <http://www.stabroeknews.com/2016/news/stories/09/08/baishanlin-not-going-quietly/>

5.1.8

KANIBALLI (SANTA CRUZ)

Key findings:

- Kaniballi has a land title but it excludes important farmlands, hunting and fishing grounds as well as former settlements and sacred sites.
 - Farming lands within the title area are unproductive and many residents farm outside the demarcated boundary.
 - GLSC surveyors pressured villagers who questioned possible demarcation errors into accepting the boundaries.
 - The Village repeatedly applied for extension of title to recover traditional lands since 1999, but these petitions remain unresolved.
 - Former Ministry of Amerindian Affairs (MoAA) officials rejected the tracts of land requested in Kaniballi's proposed extension area on random and discriminatory grounds.
 - Several timber concessions were issued on Kaniballi's traditional untitled lands without the free, prior and informed consent of the village.
 - GFC officials restricted residents' access and fined them for cutting timber on 'state land'. This caused the temporary suspension of Kaniballi's logging license, which was re-instated after sustained appeals by the Village.
 - An outside company claimed more than 50 acres (20 hectares) of titled lands causing a legal battle with the Village. A former Minister of Amerindian Affairs took the side of the company rather than the Village Council.
 - The Village extension request is included in the Amerindian Land Titling (ALT) work plan.
 - The ALT investigation team in 2015 reportedly pressured villagers into accepting a much reduced extension area as prescribed by the former MoAA.
-

1. **Location:** Barama and Waini Rivers, Moruca sub-region, Region 1.
2. **History:** Before the mission was founded in 1891, settlements were on the right bank of the Barama at Waiba, Piedra and Waiwa. Founding families of Kaniballi include the Wilson, Thomas and Abrahams families. There is solid archaeological evidence of ancient Amerindian use and occupation of the area including diverse objects, clay pottery and human remains. There are also shell mounds within the titled lands in swamp lands next to the farmlands of Mr. Galton Lucas, and in Waiwa (a tributary of the Barama River (outside the titled lands)) where archaeologists also found human remains.
3. **Main neighbouring communities:** Kwebanna, Assakata, Warapoka, Waikrebi.
4. **Estimated population:** 340 (58 households) (2014).
5. **Identities of residents:** Warrau (majority), Arawak, Carib.
6. **Local government:** A Village Council with a Toshao and four councillors.
7. **Land use and economy:** There are farms and farm camps on untitled customary lands west of the Waini River and to the southeast of their titled land. West of the Waini, farming grounds are at

Waiba Creek (right bank Barama River, eight miles from Barama mouth), Piedra Creek and Kuruwani Creek (right bank Barama River two miles upstream from its mouth). Hunting and fishing camps are found throughout the area, such as Arubooba Creek, Wasikuru Creek and Karupanu Creek and along the Waiba Creek. Villagers also use the area for cutting palm cabbage for sale to AMCAR. The untitled customary lands southeast of the demarcated area have hunting and fishing camps e.g.along Troolie, Sirikata and Little Kuiarau Creek, with farming grounds east of of Troolie Creek.



8. **Community projects:** No information obtained.
9. **Institutions and services:** Kaniballi has a primary school. Some students attend secondary school at Santa Rosa. There is one health hut staffed by one community health worker.
10. **Current land title status:** Title held. Title was granted in 1976 and in 1991 under the State Lands Act as a grant that is 'absolute and forever'. The title was registered under the Land Registry Act as 28.7 square miles in 2006.
11. **Existing title description:** "The area commencing from the mouth of the Kumaruwa River right bank Waini River, thence up the Kumaruwa River to its source thence south to the source of an unnamed creek, right bank Waini River, thence down the said unnamed creek to its mouth, thence down the Waini River to the point of commencement."⁹⁹
12. **Title suitability: Inadequate.** Residents are not satisfied with their existing title area, which leaves out much of their traditional land. Titled lands do not include fishing, hunting and gathering grounds west of the Waini River and southeast of their existing boundary at Troolie Creek. Farming lands inside the land title are now unproductive and many residents have customary farming lands outside the title boundaries.
13. **Title demarcation: Complete, but contested.** Conducted in February 2006.
14. **Demarcation suitability:** The Toshao at the time (Simon Henry) and a councillor (Mr Philip Lucas) were involved, with three villagers as boatmen and line cutters. Villagers do not recall any public meeting to discuss the demarcation beforehand and are unhappy about the lack of information and that they were not properly consulted. Those residents that did find out what was happening complained that their objections were dismissed. When villagers and councillors learned that surveyors would not visit Kuiarau Creek, which they felt should have been the boundary, they protested and called an emergency VC meeting the same day. Government officials overruled these objectors warning them that they would personally have to pay the costs for any delay in the demarcation work. When the Vice-Toshao later protested to the Ministry of Amerindian Affairs (MoAA) about the demarcated title that excludes land towards Kuiarau Creek, he was told to "apply for the area as an extension."
15. **Extension status: Applied for but remains unresolved.** Kaniballi submitted the first extension application to the then MoAA in 1999-2000 and the matter is still unresolved (see 19 below). Kaniballi had a verbal agreement with the Captain of Assakata Village, as the extension would create a common boundary with Assakata along part of the northeast portion of Kaniballi's proposed extension.

99 Schedule to 1976 Amerindian Act

16. Extension description: The proposed area commences at the mouth of Kumarawa Creek (right bank of the Waini) and thence upstream on the same creek to a point opposite the mouth of Bunya Creek and from there in a straight line in a north-northwest direction to the source of Marawaka Creek, and then along the same creek downstream following the southwest title boundary of Asakata Village to the source of Kumarawa Creek and thence in a straight line in a southeast direction to the source of Kurawaka Creek and downstream along the same creek to Kuarau Creek and downstream to its mouth on the right bank of the Waini River; and from there across the same river to the mouth of Bush Cow Creek up to its source; and from there in a straight line to Hanaida Creek head and onwards to the source of Ipini Creek; thence down the same creek to its mouth on the right bank of the Barama River and across the same river to the source of Waiwa Creek and thence to the source of Karapana Creek¹⁰⁰ and onwards to the source of Plantain Creek; and from there down to its mouth and across the Waini River to the point of commencement at the mouth of Kumarawa Creek.

17. Extension suitability: N/A

18. Extension justification: Villagers emphasise that the extension is needed to protect their traditional hunting, fishing and gathering grounds as well as important farming grounds.

19. Response from government: Slow and inadequate. The first extension application in 1999-2000 received no response. The Toshao and councillors went to Georgetown in 2009 to insist on a response from the then Minister of Amerindian Affairs. The Minister informally told the Toshao that the extension could not go ahead until all Amerindian Villages in Guyana had accepted and completed demarcation, and noted that Upper Mazaruni Villages were refusing demarcation. The Minister also said that the extension was 'too big' and that the Village could not administer the land with its 'limited education and knowledge'. Kaniballi heard nothing more, so the Vice-Toshao submitted a second application in 2011. The MoAA sent a letter in December 2011 confirming receipt of the application and saying that extensions would be dealt with on a 'first come first serve basis'. During a fact-finding visit in late 2011, the Minister of Amerindian Affairs told the Captain and community that the extension would be dealt with in 2012 or 2013. When the ALT investigation team visited Kaniballi in March 2015, the then advisor to the Minister of Amerindian Affairs informed the Village that the ministry was working with an application from 2007. The former Toshao in office in 2007 denied that he had ever made that application and called for the document to be shown to the Village General Meeting. But the ALT team refused to share the documents or could not do so. They did present a map to the Village but this did not match the description that residents had submitted in 1999-2000. The VC has not received the ALT investigation report and the Village is now waiting for further information.

The government representative insisted that Kaniballi should accept the extension area suggested by the ministry, apply for demarcation and then apply for another extension to cover the area not included. The same former MoAA official reportedly told residents during the same visit in 2015 that *"Kaniballi cannot have such a large land title as this would make it even bigger than Santa Rosa village."* Villagers were not happy with these responses but under pressure they reluctantly agreed to the ministry's proposal. People feel very indignant about this situation.

20. Land and resource conflicts: Since demarcation was completed in 2007, the GFC has curbed freedoms to take lumber, palm cabbage and other non-timber forest products (NTFPs) for subsistence. GFC have already fined one Kaniballi resident GY\$600,000 for cutting two *washiba* trees for local sale. GFC demanded that they show the officials the stumps to prove that the trees were cut on so-called State Land. A lumber and transport company called Air Services Ltd (ASL) claims to own over 50 acres (20 hectares) of land within the title area, yet this company has not provided proof of ownership and the property is not mentioned in the 1976 land title or 1991 title document. The Vice-Toshao only learned of this claim when the company served

¹⁰⁰ Warapoka village extension covers this creek, so Kaniballi proposes to follow the Warapoka Village extension to the Waini River to the point of commencement.

a writ on a villager for building a house on the site in about 2007. The Vice-Toshao had already given the villager permission to build as the Council deems the area to be part of the Village's communal property. The villagers are contesting this in court in Georgetown but the situation is still not resolved. Kaniballi also complained to a former Minister of Amerindian Affairs about ASL. The Minister declared in writing that in her opinion the land is the property of ASL. She told the VC to allow the company owner to "have his land" and to use "another 50 acres" in another place when (and if) the village gets its extension of lands. The affected family and the Vice-Toshao are not willing to give up the land, which they consider is protected under the law as Amerindian lands.

The Roman Catholic Church also claims sole ownership by absolute grant of a further 26 acres (10.5 hectares) on the right bank of the Waini River above Big Kaniballi Creek mouth. The Crown gave this land to the church before independence. The Village Council never agreed to the exclusion of this land from the Village land title.

Logging concessions overlap much of Kaniballi's traditional untitled land west of the Waini River. GFC has also advertised forest concessions in the southeast part of Kaniballi's untitled traditional lands south of Troolie Creek. The Vice-Toshao and villagers were not consulted about this and only discovered the GFC advertisement by chance in the newspapers and from residents of Kwebanna. The Vice-Toshao informed the GFC immediately of traditional rights in the advertised area. The GFC advised the community to seek a State Forest Permit (SFP) over the area, which was done and issued, but only for one year. The Vice-Toshao did not renew the SFP and villagers continued lumbering as they consider the land to be their traditional land.

21. Land security: Residents don't have lands suitable for farming within their titled land and several residents are farming outside the title boundaries. They are worried that the government is not processing their extension fairly and is restricting their customary rights and traditional practices over their lands outside the demarcated title. They are concerned that concessions were given out west of the Waini without their prior knowledge and agreement. People fear that if companies occupy these concessions, villagers will lose access to the forest. Residents are extremely concerned that the lands southeast of Troolie Creek are still not legally protected, despite the extension application, and could be given away by the government as forestry concessions. Villagers are also worried that the Low Carbon Development Strategy (LCDS) projects may forbid farming on so-called state lands, which the community knows to be their own traditional lands. People are very concerned that their freedoms are being lost and that the long-standing land issue is still not resolved. One leader said the government is *"choking us – they are slowly killing us."*

22. Livelihoods and environment: Villagers stress that the land inside the demarcated title area is now not very fertile and will only give one crop of cassava before it must be left fallow. Most farm land is outside the title boundary on Kaniballi's untitled customary lands and many families are already re-occupying these areas that were farmed by their ancestors. The GFC has warned them that if they are found on so-called state land cutting lumber or NTFPs, they will be fined and if they cannot pay they will go to jail. People do not feel free anymore. They live in fear that they may be caught taking resources on their traditional land. Villagers and the Village Council could not afford to pay the GFC fines so all lumbering in the area was suspended for a time. This affected many families in the village who use small-scale lumber sales to pay for their children's schooling. After repeated appeals, in 2014 the Village obtained a new State Forest Permit on untitled traditional lands.

23. Recognition and measures sought:

- a. The Village wants all lands held by outsiders within Kaniballi titled land to be withdrawn, and forestry concessions within Kaniballi's proposed extension to be cancelled.
- b. Residents insist that Kaniballi's extension application must be processed in an unbiased way to safeguard their system of customary tenure.

Key findings:

- Warapoka holds a land title and extension, but key traditional hunting, fishing and gathering grounds as well as various homesteads, remain excluded.
- Residents claim that boundary demarcation confused Sabaina Creek (as described in the title description) with the Bishabishina Creek thereby excluding customary lands.
- Villagers feel that titling and demarcation of individual villages has created problems and conflicts with neighbouring villages over resources that had always been shared according to custom.
- The GFC has tried to convince some families living outside the title boundary to relocate their homes.
- The Village is not included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Waini River (left bank), Moruca sub-region, Region 1.
2. **History:** Shell mounds and human remains excavated by archaeologists at Alaca Creek show the area has been used and occupied by Amerindians for a long time. A variety of ancient objects were found in neighbouring areas including at Wahana and at Warapoka Hill, where there is an important Amerindian heritage site known as 'Tool Sharpening Rock'. Warapoka itself was founded as an Anglican mission in 1909 serving the resident Amerindians who at the time were a mixture of Carib, Arawak and Warrau. Local knowledge records that the name comes from *Awaraboko* because of the many *awara* trees there, and it is also a 'call name' for one of the local families. The missionaries who came later heard the name and pronounced it *Warapoka*. Former settlements include Jail Creek, Mud Creek and Alaca Creek mouth inside the titled land, and Sandy Grave, Arecowa Hill and Ricky Hill outside the title. Founding families of the present day village site include Boyal, Henry, Cox, Williams and Jose.
3. **Main neighbouring communities:** Assakata, Red Hill and Kaniballi.
4. **Estimated population:** 503 (80 households) (2014).
5. **Identities of residents:** Warau (majority), Arawak and Carib.
6. **Local government:** A Village Council with a Toshao and six councillors.
7. **Land use and economy:** All residents are subsistence farmers producing bitter and sweet cassava and other ground provisions, as well as pineapple, *bora*, ochra, tomatoes and corn. Warapoka has four main settlements. Most people live in the central settlement (and former mission) with smaller satellite settlements within the title boundary at Alaca mouth and at Rock, Morebo and Baramani River mouth outside or partially outside (Morebo) the title. The main farming grounds inside the title boundaries are at central Warapoka, the Alaca Creek and Six Miles as well as sections of the Waini River and Morebo Creek. Outside the title the farming area known as Rock is, like the Morebo area, shared with several neighbouring communities including Assakata, Santa Rosa, Kaniballi, Kwebanna and Santa Rosa who gather *troolie* and *mukru* there. The main hunting and fishing grounds within the title include Jail Creek, Warapoka Creek, Tiger Creek and Alligator Creek. Other grounds partly inside or outside the title include

areas on the Baramani River as well as Morebo Creek, White Creek, Axe Creek and Mud Creek, which are shared with neighbouring communities and are the main gathering grounds for craft and construction materials including *troolie*, *mucru*, wild fruits and timber.

8. **Community projects:** No information obtained.
9. **Institutions and services:** The Village has a nursery school and a primary school (166 students), which also serves as a Primary top for 30 students. Secondary students go to Santa Rosa Secondary School. The village has a community health post staffed by two community health workers.
10. **Current land title status:** Title was granted in 1976 and title documents were re-issued in 1991 over 22.25 square miles as described under the Schedule of the 1976 Amerindian Act. In 2007, the village was issued a title covering this original area and an extension of covering 61.27 square miles. (Certificate dated May 25, 2007)
11. **Existing title description (with extension):** Not found
12. **Title suitability:** Although the village has an extension, important customary lands for farming, hunting, fishing and gathering remain excluded. As one resident observes:

We do our hunting way up into the Morebo to the backdam well known as White Sand River. It is very far and all the way down to Mud Creek. Fishing [is done] along the rivers like Waini right down to Luri. We do our crab catching right down to Waini Mouth to the beach, all those areas we do seeking. [Village resident, July 2014]

Homesteads outside the extension include three families at Rock, one family at the Baramani mouth and several others along the banks of the Baramani and Waini Rivers. Families at the Rock homestead (Waini River, right bank) are on state land within the Shell Beach Protected Area. Warapoka's Village Council has looked after the Rock families' welfare over the years, and they use Warapoka's schools and medical facilities. The Rock families provide Warapoka with food and vegetables from their fertile farmlands. They wish to be formally included as part of Warapoka so they can contribute to the governance of the village by voting during village elections.

Residents are also concerned that the title issued in 2007 exempts "all those lands legally held", which could give third parties rights above those of the Village and undermine rights already given in the 1991 land title.

13. **Title demarcation:** The village received a certificate and map of demarcation, and an updated title in 2007.
14. **Demarcation suitability:** Villagers were involved in cutting of lines and as guides for the surveyors. But some residents consider that the demarcation did not properly follow the description, because the Sabaina Creek (which they maintain is supposed to be the boundary) was confused with the Bishabisina Creek.

As I looked to the map and looked at the boundaries of the pall where it drop...I felt that, according to the explanation on the map where the boundary supposed to be at Sabaina,



it is not there. All those areas where the *troolie* is plenty, where we do our hunting and fishing have parts cut away. [Warapoka Resident]

Villagers feel that demarcation has caused conflicts between some villages in areas downriver towards the sea coast that had always been shared according to custom. Villagers recall that they would go down the Waini River to cut cabbage palm, *nibbi*, and other non-timber forest products including crabwood seeds, bush fruit and fruit and *troolie* as well as do logging, fishing and hunting, but all this has stopped in recent years. For example, residents say that the Toshao of Three Brother's Village prevented them practicing traditional activities outside their own demarcated area in the Luri Creek. One resident expressed this loss of their freedom of movement:

Sometimes we cannot get something here we know where it is into that area and if we cannot go and get it, it wouldn't be too nice for us. Presently we can no longer move wherever we feel like and get whatsoever is needed. [Village resident, July 2014]

15. **Extension status:** Approved in 2006 and title received in 2007.
16. **Extension description:** "The area commences at the mouth of Morebo River left bank Waina River, thence up the Morebo River for approximately eight and one quarter miles to the mouth of the unnamed tributary of the Morebo River, thence up the said unnamed tributary to its source, thence south east approximately three quarters of a mile to the source of Kurapanna River, thence down the Kurapanna River for approximately 5.25 miles to the mouth of an unnamed tributary of the Kurapanna River, thence up the said unnamed tributary to its source, thence north-east for approximately 0.75 mile to the source of an unnamed tributary up the Waini River, thence down the said unnamed tributary to its mouth, left bank Waini River, thence down the Waini River back to the point of commencement. Save and except all lands legally held."
17. **Extension suitability:** See 14 above.
18. **Response from government:** N/A
19. **Land and resource conflicts:** An unidentified business is occupying Warapoka's titled lands (Morebo) without the required permission of the residents and Village Council. GFC has encouraged residents of the 'Rock' settlement to relocate their homestead to be closer to health and education services. But Rock residents don't want to move as they have good farming grounds where they are.
20. **Land security:** As well as the lack of legal rights over customary lands that lie outside the title, residents are concerned about the meaning of a clause within their 2007 title that they recall excludes all land "66 feet from the mean high water mark." Villagers fear that if this exclusion clause is valid, it means residents living on the banks of the Waini and along the Baramani Mouth are excluded from the title. Villagers are not happy about this as as certain families would not have legal rights over their own homes and farmlands.
21. **Livelihoods and environment:** Residents report they have enough productive farming land, but this may reduce if the population increases. Residents are concerned about a clean water supply as the Waini is contaminated by mining in its headwaters and during the dry season in particular residents must get water from distant creeks.
22. **Recognition and measures sought:**
 - a. Residents seek rectification of possible errors during demarcation that appear to have excluded the Sabaina Creek area.
 - b. They wish the title description to be modified to include homesteads that are currently excluded.

Key findings:

- Waikrebi holds a land title, but it leaves out the satellite settlement of St Bedes on the left bank of the Barama River and customary lands in the headwaters of the Waikeribi and Kurasani Creeks.
- Despite these exclusions, the residents interviewed in this survey are satisfied with their land title.
- Residents are satisfied with how demarcation was carried out, and many of them were involved in as guides and line cutters.
- Village titled lands are currently free of any concessions.
- Residents did not know of any major conflicts about land or resources
- Waikrebi is not included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Right bank Barama River, Moruca sub-region, Region 1,
2. **History:** The original settlement of Waikrebi was at St Bedes, founded at the start of the 20th century by families including Waika, Lionel, Joseph, Sultan, Hendericks and Williams. Archaeological evidence shows longterm Amerindian occupation of the area including clay pottery, which residents continue to find today in their farms in St Bedes and in the St Bedes backlands. Devil Hole or Jumbie Island is a site of special cultural importance, which local people believe may cause illness or even death if approached.
3. **Main neighbouring communities:** Kaniballi, Chinese Landing and Kwebanna.
4. **Estimated population:** 252 (33 households) (2014).
5. **Identities of residents:** Carib.
6. **Local government:** A Village Council with a Toshao and four councillors.
7. **Land use and economy:** The community has three population centres known as Central, Red Hill and the mouth of the Waikrebi Creek area. St Bedes is a satellite settlement 15 minutes drive away from central Waikrebi on the left bank of the Barama River (outside the title) and currently has two families. All farming lands are right next to central Waikrebi except for St. Bedes, whose farmland lies on the left bank of the Barama River, outside the title area. Key hunting and fishing grounds are in Black Creek, Apini Creek and the lower Waikrebi Creek within titled lands, and outside titled lands in the headwaters of the Waikrebi and Kurasani Creeks and on the Barama and Waini Rivers (shared with neighbouring communities). Residents get most of their income from lumber as well as some mining of sand. In 2014 the Village Council was negotiating an agreement with a small miner to work in the Village's titled land.
8. **Community projects:** No information obtained.
9. **Institutions and services:** Waikrebi has a primary school including a Primary top school (St Bedes); students attend secondary school at Santa Rosa. There is one health hut staffed by two community health workers

- 10. Current land title status:** Title granted in 1976 and in 1991 under the State Lands Act.
- 11. Existing title description:** “The area commencing at the mouth of the Apini [Epinii] Creek, right bank Barama River, left bank Waini River, thence up the Apini Creek to its source, thence along the watershed between the Waikrebi, Anamu and Kurapalm Rivers to the source of an unnamed creek, right bank Barama River, thence down the said unnamed creek to its mouth, thence down the Barama River to the point of commencement.”¹⁰¹
- 12. Title suitability:** Although some traditional lands including areas used for homesteads lie outside the title boundaries, residents who took part in this survey are currently satisfied with the title as they feel it covers much of their current resource use and is enough.
- 13. Title demarcation:** Completed. The land was demarcated in 2001.
- 14. Demarcation suitability:** Residents consider that the demarcation follows the 1976 title description correctly. Residents recall the survey and discussions beforehand with GLSC and the Regional Democratic Council. Several residents were involved in the discussions and line cutting, including individuals knowledgeable about village boundaries. The Village team insisted that the surveyors followed the correct boundary and reached all points of the description. People involved in the demarcation exercise included former Toshao Hilton James, former Toshao Rimple Williams as well as Leslie James, Calvin Williams and Sydney James.
- 15. Extension status:** No extension has been applied for.
- 16. Extension description:** N/A
- 17. Extension suitability:** N/A
- 18. Extension justification:** N/A
- 19. Response from government:** N/A
- 20. Land and resource conflicts:** Currently village titled lands are free from any concessions and other rights held by outsiders. Residents consider that their untitled customary lands are not affected, although they are concerned that mining on the Barama River has contaminated the river water and depleted fish, particularly the *morocut*.
- 21. Land security:** Residents who participated in this survey declared that they feel comfortable with the existing land title even though it does not include existing homesteads and the headwaters of key rivers. Currently their lands are also free from concessions, which they say were cancelled when their title was issued, due to strong representations made by the Village.
- 22. Livelihoods and environment:** Mining pollution has made water not fit for drinking and severely reduced fish stocks. Residents say that game animals are abundant, however, and that the forest remains healthy and rich in resources despite forest damage in a few areas due to village logging activities. Residents also say that they cannot cut timber outside title boundaries as this is restricted by GFC, which can enforce penalties.
- 23. Recognition and measures sought:**
- Residents insist that if they are considered the owners of their titled lands then this should also include ownership of subsoil resources.
 - They noted that while Waikrebi residents are mainly satisfied with the status of their lands, many other indigenous peoples in Guyana are not. The national government should protect the land rights of these indigenous communities as a matter of urgency.



¹⁰¹ Schedule to 1976 Amerindian Act and the 1991 title description.

Key findings:

- Kokerite holds a land title over a limited tract of land on the left bank of the Barama River.
- The title excludes a significant area of customary lands on the right bank of the Barama River.
- Amerindian Lands Commission (ALC) ignored customary land use patterns, causing errors in the 1976 title description.
- The Village filed several applications for title extension since 1994, but the government has not dealt with them.
- Many mining concessions and permits have been issued on Kokerite customary untitled lands without community consent (see Map 3).
- Geonode information (2015) showed the Barama Company logging concession overlapped Kokerite's title, but this concession has now expired.
- Important forest lands, fisheries and creeks are damaged or severely polluted by 'legal' and illegal mining, but the authorities do not appear to have taken action to limit contamination.
- Residents had to pay a 'licence' to miners if they wanted to do small-scale mining in their customary untitled lands.
- Village concerns about insecure land rights and serious mining impacts remained unresolved in 2015.
- The Village is not included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Right and left banks of the Barama River, Moruca sub-region, Region 1.
2. **History:** Before the mission was founded (1930s) on the left bank of the Barama River near the current settlement of Kokerite, former settlements were on the right bank of the Barama at Hobodi and Inamo Creeks. The founding families of the Kokerite settlement include Creams, Charles, Peters, James, Samuels and Henry. There is plentiful archaeological evidence of longterm Amerindian use and occupation of the area including clay pottery, clay carvings and models of animals and people, which residents still find today in their farms at Hobodi and Inamo Creek. In common with residents of Kariako, Mekoro Rock on the Barama River is a site of special cultural significance where local people believe strict rules must be observed to avoid triggering rainstorms or even death.
3. **Main neighbouring communities:** Kariako and Chinese Landing.
4. **Estimated population:** 115 (21 households) (2013).
5. **Identities of residents:** Carib.
6. **Local government:** A Village council with a Toshao and four councillors.
7. **Land use and economy:** Most residents live in Hobodi on the right bank of Barama River and therefore outside the existing land title boundary. All farming lands are on the right bank as

land on the left bank is swampy and no good for farming. Residents rely for food on subsistence farming; their main crops are cassava, ground provisions, plantain, coconut, beans and citrus fruits. Important hunting, fishing and gathering grounds include Wanamo, Wamani, Inamoto, Tenambo and Inamo Creeks on the right bank of Barama River as well as Imatak, Aracabusa, Yackerseru Creeks. Longer fishing trips go as far as Powis Landing (up to 4 days travel) while residents also use Parapimai and Towabati Creek (left bank Barama). Some of these creeks are shared with residents of Kariako. Residents also practice small-scale mining at Tenambo Creek, Kalalu Creek and in Hobodi (right bank of the Barama River).

- 8. Community projects:** No information obtained.
- 9. Institutions and services:** Kokerite has a primary school (33 children in 2013); secondary students go to Santa Rosa. There is one health hut staffed by one community health worker.
- 10. Current land title status:** Title was granted in 1976 under the Amerindian Act and in 1991 under the State Lands Act. The 1991 title documents were misplaced and the Council no longer holds them.
- 11. Existing title description:** “The area commencing at the mouth of the Maikuru Creek, left bank Barama River, left bank Waini River, thence up the Maikuru Creek to its source, thence west for 1.5 miles to the source of an unnamed tributary left bank of the Parapimai River,¹⁰² thence down the said unnamed tributary to its mouth, then down the Parapimai River to its mouth, left bank Barama River, thence down the Barama River to the point of commencement.”¹⁰³
- 12. Title suitability: Inadequate.** Villagers do not think that Kokerite’s title properly protects their land and resource rights as it excludes homesteads and traditional lands used for farming, settlements, hunting, fishing, gathering and small-scale mining on the right bank of the Barama River including at Tenambo Creek, Inamoto Creek, Wanaima Creek and Wanamo Creek. The swamp forest on the left bank of the Barama River means that almost all residents live and farm on the right bank, which is officially categorised as ‘state lands’. As a result, many residents say “we feel like squatters on our own lands” and “We born, grow and live here for many years but cannot work on our own land”. Others stress how the inclusion of unnamed creeks in the legal title description makes errors more likely during demarcation. As one resident said: “the creeks have names because we name them and we know why we name them and it has meaning to us and our people.”
- 13. Title demarcation:** Complete. Residents do not recall the date.
- 14. Demarcation suitability:** Residents consider that the demarcation correctly follows the 1976 and 1991 title boundary description, but only to reinforce the limited title area. Residents recalled the survey did involve some residents as line cutters as well as the Toshao. It was only at demarcation that many villagers fully realised that their title area did not cover all their lands.
- 15. Extension status: Applied for but unresolved.** The Village first applied for an extension in 1991, after a village agreement made at a VGM. They followed up with formal enquiries on at least four separate occasions. To date this issue remains unresolved and the Village is not included in the Amerindian Land Titling project work plan.
- 16. Extension description:** Residents wish to extend their title to tracts of land between the right bank Barama and Waini Rivers from the Tenambo Creek to the Wanamo Creek on the Barama River and the Inamoto and Wanamai Creeks on the Waini.
- 17. Extension suitability:** N/A
- 18. Extension justification:** Extended title is needed to include traditional lands, farms and homesteads left out of the original title. The 1976 title description is based on recommendations in the Amerindian Lands Commission (ALC) report which appears to have ignored customary

102 Known by residents as Tobaruru Creek

103 Schedule to 1976 Amerindian Act



land use patterns: residents consider it highly unlikely that their grandfathers only requested land on the left bank given that people lived on both sides and mainly farmed on the right bank as they do today. The ALC report did record that Kokerite residents requested a “large area of traditional lands up to Powis landing”, which is an area on the left bank of the Barama River that is still used by residents today. As in other cases in Guyana (see Table 1, Section 3.3), the ALC decided that “the area requested...is excessive and beyond the ability of the petitioners to develop or administer successfully.”¹⁰⁴

19. Response from government: Long delayed and unreasonable. The Village filed more than four requests for an extension of land title since 1991, but the government consistently rejected their applications (Kokerite only ever received verbal responses) and pressured them to include their neighbour Kariako’s land in their own extension.¹⁰⁵ Kokerite oppose this because it does not give them security over their traditional lands, especially suitable farm lands, and they don’t want a dispute about shared lands with Kariako. To date they have received no formal response to their letters and there has been no progress on the issue. In 2011 a former MoAA Minister came to the village and one resident asked again about their proposed extension on the right bank of the Barama River. The Minister said “*Oh you get big now?*” The resident explained Kokerite needed the extension because they could not farm in the swamp land that they had been allocated. The former Minister’s comments appear to reflect the then government’s lack of understanding of land tenure, land use and cultural rights needed for fair and objective land titling. Residents are extremely disillusioned and observe that while their extension application was rejected, several mining concessions were issued in the area:

We are very sorry and not happy because when we applied for extension there were no mining blocks, but now there are many mining activities and we would not know if we would get this extension. [Village resident, 2012]

20. Land and resource conflicts: In 2012 illegal miners were working at Towabati Creek, Parapimai Creek and Mekoro Creek. Miners were also working on the land proposed by the Village for an extension (Wanamo, Tenambo and Saleba Creeks) without permission from the Village Council and residents, but apparently with government permits for specific blocks. Three miners were also working on titled land (Maikuru Creek, Awabati Creek and Parapimai Creek), two without permission and one with permission from the community until 2014. This miner was paying royalties. One logger was also operating on titled land with permission from a former Village Council. By 2013 the miners and loggers working on titled land had been removed by a new Council. The old Council and certain individuals were seemingly involved in gross misuse of community resources and, when residents discovered this, they were removed from their posts. The Village has several times reported persistent and serious water pollution caused by mining to the Area Regional Officer and the former Ministry of Amerindian Affairs, but there has been

¹⁰⁴ Report by the Amerindian Lands Commission (1969) Georgetown, Guyana at 131

¹⁰⁵ It is unclear if or how Kariako’s recent (2015) land title affects Kokerite’s requested extension area.

no response and the problem is still there. In 2010 the death of one resident of Kokorite and eight residents of Kariako were almost certainly linked to cyanide pollution in White Creek (on the upper Barama River), but as far as residents know, the government has not taken action on this.

They always promise to stop the mining, but we just see that more mining coming.
[Village resident, 2013]

The flawed title has also restricted Kokorite's own resource use. Mining blocks now overlap customary lands on the right bank of the Barama River (e.g. Inamo Creek). Residents complain that they have done small-scale mining ('punting') for a long time in the Tenambo Creek area, but the miner owning the block stopped residents from working while allowing a Brazilian company in.

When we would go to do punting they would chase us and say the land is not our land and we must move. [Village resident, 2013]

The same problems occurred in the Kalalu area. There was no violence in either case but the villagers in these areas had to pay for a 'license' from the miners who own the blocks. The residents complain that *"the government should not give away this land to coastlanders who are rich and we are poor, this area should be made available to us."*

Data on forestry concessions and Amerindian lands on the Geonode website in October 2015 showed that Barama logging concession overlapped almost all Kokerite's titled land, as well as untitled customary land. When the APA asked for an explanation, the GFC said that the logging concession was issued before the village title so the Village showed up as part of the concession. But GFC added that a process of verification and land titling was underway and when completed the maps would be corrected i.e. areas owned by Amerindian villages would be taken out of the concession. GFC also noted that there was no logging currently happening in that area. By November 2016 the Barama Company's concession had expired and the government had not renewed it.

21. Land security: Residents have little or no access to lands suitable for farming within their titled land. This is now a serious situation as lands on the left bank of the Barama are more and more taken over by mining. Residents see their untitled customary lands being destroyed and given away to outsiders while Kokerite is waiting for its extension. Many are concerned that even if they do secure these lands, the forests will no longer have any resources. *"When we get the land, if we get it, there will be nothing left on it for our children and grandchildren"*. Clean water and wild food are becoming scarce and shop-bought food is very expensive.

22. Livelihoods and environment: Most of Kokerite's farming, hunting, fishing and gathering grounds are outside the title area and are affected by mining in the creek heads. The water is severely polluted and game and fish are depleted e.g. in Tenambo Creek. The people living up White Creek (upriver of Kariako) have many concerns about mining, including violence, pollution and deaths of residents in 2010. Meanwhile, the swamp land inside the title area floods during the rainy season and is not suitable for farming.

23. Recognition and measures sought:

- a. Residents urge their Village Council to follow up on their extension application and make sure that the government recognises their rights to land. *"Let them respect us and our ways of life, we want to be free people"*.
- b. Villagers insist that: *"The government should stop giving away our land."* They add: *"remove all outside mining on our land and give we land back."* They see this is a national level problem and call on the NTC to *"talk out freely and more strongly and don't take sides."*

Key findings:

- The Village finally received a land title in 2015, having sought legal recognition since 1994, however in 2016 the Village still had no details of the title. Between 1994 and 2015 GGMC issued many mining blocks on lands claimed by the Village.
- In 2012 the Ministry of Amerindian Affairs briefly gave a title certificate to a former Toshao, but this was withdrawn within minutes supposedly because amendments were needed.
- Kariako is included in the Amerindian Land Titling (ALT) work programme.
- GGMC reportedly promised the Village that mining permits within the title will be cancelled, but some miners are threatening to challenge the GGMC in court.
- Mining has devastated forests, rivers, fish and game stocks and led to violent conflict with residents as well as several deaths believed to be caused by mining related contamination.
- Residents have, in some cases, evicted illegal miners after government action had no effect.
- The Village calls on the government to honour commitments made in 2012 to cancel all mining blocks on its titled land.
- In the dry season Kariako suffers water shortages because mining has contaminated the creeks.

1. **Location:** Left bank Barama River, Moruca sub-region, Region 1.
2. **History:** Residents say that the village of Kariako was founded in the 19th century. Founder families include the Samuels. There are signs of Amerindian use and occupation over many centuries, including clay pots found at the former Amerindian settlements of Paripimai Creek and Potokaishuru Creek. Other former settlements were at Pipianni River, while those at the Munusi and Aranca Rivers are still occupied today and lie outside the title. Long-term Amerindian occupation is also shown by the creek names, such as Parapimai River (refers to the making of clay pottery), Akawari Creek (*nibbi*) and Kariako River (records the story of a *siri* deer which dived into the river to escape a hunter). There are also many sites of cultural and spiritual significance, such as Mekoro Rock on the Barama River, which must be treated with respect to avoid the risk of serious consequences including death.
3. **Main neighbouring communities:** Kokerite and Chinese Landing.
4. **Estimated population:** 539 residents (110 households) (2012).
5. **Identities of residents:** Carib.
6. **Local government:** A Village Council with a Toshao and eight councillors.
7. **Land use and economy:** Most residents live in Kariako, but some families live in the satellite settlements of Munusi and Aranka, outside the title area. Villagers depend on subsistence farming, hunting and fishing for their livelihoods. Principal crops include cassava, cane, coconut, pineapple, eddoe and other ground provisions. Main farming grounds lie on both sides of the Barama River as well as on Teki Creek, Korotoko Creek, Kariako Creek, Yatuno River, Potokaishuru



River, Yakibaro Creek and Sariyacu Creek, and also on both sides of the Barama road. Some farming grounds lie inside the village title (except those on the right bank of the Barama River) but farming lands at the satellite villages at Aranka Creek and Munusi Creek are all outside the title. Main hunting and fishing grounds are at Potokaishuru, Parapimai and Tenambo. Residents also hunt and fish in the central Kariako area along Teki Creek and Tubarutru Creek, as well as on both sides of the Barama River and on both sides of the road. Many of these places are shared with Chinese Landing and Kokerite villages. Residents also fish in the Aranka Creek, which is almost two days paddling from Kariako. The main area for craft and construction materials as well as medicine and wild fruits is near the Barama road. Some villagers do small-scale mining on the Parapimai and Potokaishuru Creeks.

8. **Community projects:** No information obtained.
9. **Institutions and services:** Kariako has its own primary school. Secondary school students travel to Santa Rosa secondary school. There is a health hut in the village staffed by one community health worker.
10. **Current land title status:** Land title received in February 2015. Official title maps were still under preparation at the end of 2015.
11. **Status of application for title:** The Village has actively sought legal title since 1994 through formal requests (including sketch maps) submitted to the government. The village originally requested an area from the Munusi and Aranka Creeks to the Potokaishuru River, including lands on both banks of the Barama River. However, since 1994 the description of the requested area has changed as the village was informed that the government had allocated much of the area to mining concessions. The title request was then altered to include only the left bank of the Barama River, including the area north of the Kokerite boundary and bordered by the Barama road on one side, and towards the Potokaishoro Creek (downriver) and the Yatono Creek (upriver). At the 2012 NTC conference the Toshao was given the title certificate, only for it to be withdrawn five minutes later with the excuse that some amendments needed to be made.¹⁰⁶

¹⁰⁶ The Villages of Tasserene, River View, Kangaruma, Kambaru and Batavia all had similar experiences and ironically came to describe themselves as villages with 'a five minute title'.

- 12. Title description:** No information obtained.
- 13. Title suitability:** Not known. In 2016 residents were still awaiting their title map(s) and title registration certificate. This study has not been able to verify the final boundary description.
- 14. Proposed title justification:** Residents feel very attached to the land and consider themselves the first people to settle in this area. Villagers complain that *“coastlanders are given rights over this land and are working and destroying our hunting, fishing and gathering grounds.”*
- 15. Demarcation:** Scheduled in the ALT work programme and completed in December 2015.
- 16. Response from government:** Residents report that for many years the government did nothing concrete to resolve the land issue. When the government did finally discuss the village land claim, officials tried to convince the community to reduce the area requested to the area between the Teki and Paripamai Creeks. Finally in 2012, residents thought that their long struggle was over, but were dismayed when the title certificate was withdrawn before the Toshao could even check the boundary description properly (see 11 above). Residents became more worried when miners told them that 10 new mining blocks had been allocated inside the proposed title area. In 2013 the Toshao obtained a map of the mineral properties overlapping Kariako’s land from GGMC. These blocks were still being worked in 2012 and 2013, but since then the Toshao has tried to evict miners who work on village land without the Village Council’s permission.
- 17. Land and resource conflicts:** Mining by coastlanders has had a huge impact, especially on the fish stocks in the Teki River. Many traditional hunting and fishing areas outside the title are also affected. Villagers oppose the mining and there have been violent conflicts. One such conflict involved a long running dispute with an illegal gold miner who entered the community’s lands by a road that the community had built themselves. This miner destroyed huge areas of forest as well as the community’s road. The Toshao complained personally to then President of Guyana, who reassured the Toshao that the issue would be resolved. Some GGMC officials were sent to deal with the problem but they went straight to the mine and never came to Kariako. The community suspects that the officials were perhaps ‘paid off’ as nothing ever happened as a result. In 2011 the community had to take measures into its own hands by physically evicting the miner. They received death threats as a result.

To make matters worse, local GGMC officials informed the community in 2012 that they had issued 18 more mining blocks within Kariako’s title in the Potokaishoro Creek area. GGMC issued these blocks after the village received its title for ‘five minutes’ at the 2012 NTC meeting. At the meeting the MoAA assured Village authorities that none of these 18 blocks would be issued, but did not give written confirmation. In October 2015, another miner informed the Village that he owned 66 mining blocks on their customary lands. When the Toshao asked GGMC to explain, he was told that the miner only owned 45 blocks and that upon verification, if any of those were found to be inside the title, they would be cancelled.

In 2010 the deaths of eight residents of Kariako and one from Kokorite were almost certainly linked to cyanide pollution in White Creek (on the upper Barama River), but as far as residents know, the government hasn’t fully investigated this and acted on it.

The Village also suffered harmful impacts from industrial logging in the past when the Barama Company operated in the Barama road area. Barama never consulted with the village and it severely damaged Kariako’s main gathering grounds. Barama’s contract only allowed them to log softwoods, but they removed large volumes of hardwoods including bulletwood and purpleheart. The company only visited Kariako just as it was about to pull out, to promise compensation that has never been paid.

After Kariako received title in February 2015, the Toshao of Chinese Landing complained to GLSC that Kariako’s titled land overlapped the title of Chinese Landing. But Kariako residents said Chinese Landing was confusing two rivers with similar names (Potaishuru and Potokaishuru), They checked with GLSC, and in fact the two titles do not overlap.

18. Land security: Residents felt insecure on their lands for decades without legal title, and their hopes of gaining title were dashed in 2012 when their title was withdrawn. Now that they have a land title, the Village is waiting to see if the GGMC will fulfil its promises to remove mining blocks from the Village's title area. Villagers are also worried about possible legal challenges from miners, especially as recent court judgements have favoured miners' interests over the rights of indigenous peoples.

19. Livelihoods and environment: The village has a solar-powered well and tanks to collect rainwater. But when they run dry in the dry season, villagers have to travel long distances to find drinking water because mining has seriously contaminated the Barama River and all its tributaries. Some people also now avoid bathing in these rivers. Mining has seriously harmed fishing (e.g. at Teki and Pipiani Creeks within the proposed title and Aranka and Tenambo areas outside proposed title) by blocking the creeks or making them extremely silty. Mining has also devastated the forest, removing forest cover and top soil and scaring off game animals. Wetlands are generally still healthy except where creeks have been diverted for mining. The village depends almost entirely on subsistence farming; buying food from the shops is very costly.

20. Recognition and measures sought:

- a. Village authorities have learned that many villages in Guyana have similar land problems to those of Kariako, but that Amerindian leaders are often divided. Villagers say they should come together on the land issue and pressure the government to end violations of indigenous peoples' rights, stop land grabbing and tackle destructive mining and logging that is devastating community lands, forests and natural resources.
- b. The Village calls on the government to fulfil its commitments to remove all mining blocks from its lands.



Key findings:

- Chinese Landing has a land title, but it leaves out traditional lands around Anaturi Creek (an area traditionally shared with Barima Koriabo).
- Villagers consider that a flawed demarcation process has reduced their title area due to errors in creek identification.
- Mining concessions overlap titled lands without consent of villagers.
- Geonode information (2015) showed the Barama logging concession overlapped much of Chinese Landing's title, but this concession has now expired and reportedly has so far has not been renewed.
- There is a long-term dispute at Tassawini Creek where miners have violated village agreements and restricted small-scale mining, and have not paid agreed royalties.
- Fourteen years of mining in Tassawini has caused massive environmental destruction with very little benefit to the Village.
- The Tassawini gold mining concession, imposed in 2004, is currently owned by a Canadian mining company StrataGold. Residents' sustained opposition has so far prevented full-scale mining, despite government pressure on the Village to reach an agreement.
- Residents seek correction of demarcation errors and resolution of boundary disputes with the neighbouring Village of Barima Koriabo.
- Kariako is not included in the Amerindian Land Titling (ALT) work programme.

1. **Location:** Left bank, Barama River, Moruca sub-region, Region 1.
2. **History:** Villagers report that the current village site was founded in the 1990s, with former settlements at Anaturi and Potaishuru Creeks.
3. **Main neighbouring communities:** Kokerite, Kariako, Waikeribi and Barima Koriabo.
4. **Estimated population:** 126 residents (17 households) (2012).
5. **Identities of residents:** Carib.
6. **Local government:** A Village Council with a Toshao and councillors.
7. **Land use and economy:** Most homesteads are on the left bank of the Barama River, while others are on the right bank outside the land title. Farming grounds are mainly next to Chinese Creek (left bank Barama). The main hunting and fishing grounds within the land title are at Huri Creek and Tassawini Creek, while Anaturi Creek and Potaishuru Creek lie outside the title and are shared with neighbouring villages Koriabo (Anaturi) and Kokerite (Potaishuru). Residents depend mainly on small-scale gold mining for income, most of which is done at Tassawini, which villagers describe as the 'backbone of the village'. Tassawini is also the source of year-round clean drinking water (*tassawini* means 'clear water' in Carib) and is especially important in the dry season when other sources dry up.
8. **Community projects:** No information obtained.

9. **Institutions and services:** Chinese Landing children go to primary school in the village and secondary school at Santa Rosa Village. There is a health hut, but no community health worker.
10. **Current land title status:** Title granted since 1976 under the Amerindian Act and in 1991 under the State Lands Act.
11. **Existing title description:** "The area commencing at Ite Landing, left bank Barama River left bank Waini River, thence west and south-west along the watershed between Anaturi River and Huri Creek to the source of the Huri Creek, thence down the Huri Creek to its mouth, left bank Barama River, thence down the Barama River to the point of commencement."¹⁰⁷
12. **Title suitability: Inadequate.** Residents confirm that no consultation was ever held with Chinese Landing before Koriabo lands were titled and demarcated. The existing land title excludes key areas of customary use and occupation. In particular, only some of the Anaturi watershed is included while the entire watershed of the Potaishuru Creek remains outside the title.
13. **Title demarcation:** Demarcation took place in 2004, but villagers report that in some areas the demarcation was not completed in the field. Only one young villager participated in the survey and had to pull out halfway through due to illness.
14. **Demarcation suitability:** Although the survey was reportedly incomplete, a demarcation map was issued. This map indicates that the demarcated boundary mostly follows the title description set out in the Schedule to the 1976 Amerindian Act and in the 1991 title document. Residents consider that confusion about creek names may have caused errors in the demarcation. For example, Potaikaishuru is the Carib word for the commonly named *huri* fish, which also gives its name to Huri Creek. According to residents, the Anaturi Creek to the north used to be the agreed boundary between Chinese Landing and Koriabo, but Koriabo village has since cut its own line maintaining the 'whole section' belongs to their village. In 2015, no formal agreement existed over the boundaries in Anaturi area and some confusion remained. The government has not responded to Chinese Landing's requests for government mediation over the Anaturi issue. Whether or not the demarcation is correct or incomplete, residents consider that it reinforces an unjust title area that excludes traditional fishing and hunting lands within the Potaikaishuru Creek catchment and on the right bank of the Huri Creek.
15. **Extension status:** Villagers perceive that their current options to extend their title are limited, and have not submitted an application to date. The title of Barima Koriabo surrounds the Chinese Landing boundary to the west and northwards. Since 2015, options to extend southwards have been blocked by the new title of neighbouring Kariako that includes all the Potaikaishuru area. The former Captain of Kariako recognised that this area is traditionally occupied and used by Chinese Landing, but since then the Kariako Village Council has not offered to resolve the issue. To the east, downriver on the left bank of the Barama River, lands are already occupied by mining blocks or are covered in swamp. Chinese Landing continues to raise concerns about land title and demarcation concerns with MIPA and GLSC.
16. **Extension description:** N/A
17. **Extension justification:** See 14 and 15 above.
18. **Response from government:** N/A
19. **Land and resource conflicts:** Four mining blocks were issued to a miner in 1993 in the Tassawini Creek area within Chinese Landing's titled lands. This miner's agreement with Chinese Landing expired around 1998. After that, he had no permission from the community because he failed to pay agreed royalties of 1% to the Village and prevented village authorities from monitoring his production, which meant they could not find out the amount of royalties owed. Despite the lack of agreement, the miner continued to operate after GGMC renewed his license in 2004,

107 Schedule to 1976 Amerindian Act

based on his false claim that he enjoyed community support for his activities. Some residents also suspect that a 'money mistake' enabled the renewal (corruption). The Village Council wrote several letters to GGMC, MoAA and GLSC in 2004 opposing the renewal of the miner's license, and sent follow-up letters in 2010 to the MoAA. The community was finally able to remove the miner in 2010 after a long struggle with the government (see below). Mediation included interventions from the former President and the former Ministry of Amerindian Affairs. In the end, the miner paid a small amount to the community, which villagers consider was a derisory sum after 14 years of mining.

Since 2004, Canadian mining companies StrataGold Guyana Inc/Tacara and the aforementioned miner apparently jointly owned the Tassawini concessions. The Village was never consulted about this joint venture. The Village's strong opposition to a possible agreement with StrataGold has so far prevented full-scale mining, although StrataGold continued to invest in exploration and did further drilling on the site.¹⁰⁸ Despite government pressure on the Village to reach an agreement with StrataGold the villagers remained defiant.

One former Minister of Amerindian Affairs told residents *"When you are ready to negotiate with Strata you can come and see me,"* attempting to bully them into accepting a deal and not respecting their right to FPIC on small or medium scale mining. When community activists questioned the aforementioned miner he replied *"I have paid the Prime Minister and MoAA and these villagers are of no concern, as far as I am concerned the block is like my bed room and I will die there."* Villagers complained that they weren't even allowed to practise pork knocking (small-scale mining) in the concession. In 2008, at a Village General Meeting with the Prime Minister (PM) and former MoAA, the PM reportedly said that the villagers had no right to work in the area. He was opposed publically by the then Amerindian Affairs Minister who said that the villagers had the right to work there as it lay within their titled land. Residents have recently learnt that the latest strategy of StrataGold and the aforementioned miner appears to be to apply for 'large scale' mining status, which would remove the need for community consent required by the 2006 Amerindian Act. In 2016, StrataGold Guyana Inc apparently still held some interest in the area, while the Canadian service company Falcon Logistics has tried to discuss lease rights and enter into negotiations with the Village. The precise interest of Falcon Logistics is not known.¹⁰⁹

Given the long-running conflict over mining and lack of local benefits, the Village Council in 2014 ruled to reject all dialogue with foreign mining companies. Meanwhile, at the end of the same year GGMC finally decided not to renew the aforementioned miner's permit and refused to accept payment for licence renewal. In response, the miner took legal action against GGMC to retain his mining blocks against the will of the Village. The court decided in favour of the miner obliging GGMC to accept the licence payment. GGMC has now appealed and the legal case is ongoing.

Outside of Chinese Landing's titled lands there are several mining concessions and claims on the Potaishuru Creek. There are also mining operations in the headwaters of the Anaturi Creek. These are all medium-scale mining operations but none of them pay any royalties to the Village. Nor have miners made any effort to consult with the Village despite being obliged to do so under the Amerindian Act.

Information on the Geonode website in 2015 showed that the Barama Company logging concession overlapped almost all Chinese Landing's land title area as well as untitled customary land. When the APA asked for clarification, the GFC said the village showed up as part of the concession because the logging concession was issued before the village title. GFC said that concessions were being verified and demarcated, and the maps would be changed by taking areas owned by Amerindian villages out of the concession. In 2015 no logging was taking place in the area and by November 2016 the Barama Company's concession had expired and the government had not renewed it.

108 Pdf available at <http://www.alicantominerals.com.au/index.php/2012-06-30-07-41-21/2012-06-30-07-53-49?task=d> StrataGold now operates in Guyana as a subsidiary of Alicante Minerals Limited.

109 <http://www.falconguyana.com/>



20. Land security: Residents feel insecure even in their own land title, part of which has been issued to outsiders as a mining concession (see 19 above). Villages consider that their legal right to free, prior and informed consent over small and medium scale mining projects has been violated. They are discouraged that the government and courts have not supported their right to control their own land and resources.

21. Livelihoods and environment: Residents view Tassawini as the lifeblood of their community as it provides Chinese Landing with vital sources of clean water and a source of income from small-scale mining. Residents are concerned that proposals for large-scale mining threaten their water supply and villagers' own small-scale mining by rapidly using up the mineral deposits and continuing to restrict the community's access. They stress that small-scale mining is their main livelihood and so it should be considered as part of their subsistence economy. Villagers feel that soon the current titled area will not meet the subsistence and economic needs of the community. They are concerned that although their population is relatively small it is growing fast and the limited size of their titled lands means it will not be enough for future generations.

22. Recognition and measures sought:

- a. Residents continue to oppose the planned large-scale mining development in Tassawini and urge the government to respect and uphold their right to control any mining development on their lands.
- b. They demand that the State of Guyana and GGMC enforce the provision in the Amerindian Act that all small and medium scale mining operating in Chinese Landing requires the consent of communities.
- c. They feel strongly that consent must also apply to any plans for large-scale mining operations affecting their land and livelihood.
- d. They seek fair and just measures on land, including resolution of their disagreements with Koriabo over the Anaturi area.

Key findings:

- Barima Koriabo holds a land title although it leaves out important customary lands, including along the Barima River (left bank).
- Residents consider that errors made during the title demarcation process have reduced their land title area.
- There is an ongoing dispute between Chinese Landing and Barima Koriabo about the Anaturi area caused by lack of consultation between the communities before agreeing on title boundaries.
- The authorities misplaced the Village's 2012 extension application and told the Village it must reapply.
- Destructive mining upriver on the Barima River has made river water undrinkable and has harmed fish stocks.
- Forestry and mining concessions were given out on the Village's customary untitled lands without consulting and obtaining consent beforehand.
- 2015 data on the Geonode website showed most of Barima Koriabo's title lying inside the Barama Company's logging concession, which has since expired.
- In the past, GFC fined residents for cutting lumber in the Barama Company's concession outside their title boundary.
- The Village is not included in the ALT work programme.
- Residents call on the government to correct demarcation errors and ensure just and timely processing of their extension application.

1. **Location:** Barima River, Mabaruma sub-region, Region 1.
2. **History:** Central Koriabo was founded as a mission in 1946. Former settlements exist at 'Mora place' and 'Old Mission' (Anglican). Evidence of longterm Amerindian occupation of the region includes shell mounds and other archaeological objects as well as important spiritual sites at 'Carib Man Hill', High Hill and the Koriabo Mouth. Excavations conducted by Dennis Williams at Shell Hill in the 1980s found human skulls, bones and pottery. Founding families of the village include Campbell, Bumbury, Edwards, Henry, Domingo, Benjamin and Roberts.
3. **Main neighbouring communities:** Red Hill, Blackwater Savannah and Chinese Landing.
4. **Estimated population:** 254 (40 households) (2014).
5. **Identities of residents:** Warrau (majority), Carib and Arawak.
6. **Local government:** A Village Council with a Toshao and seven councillors.
7. **Land use and economy:** Most residents live at the main settlement of Central Koriabo except for one homestead (Elias Rupertee) located on the right bank of the Beckwa Creek outside the land title. Residents rely on subsistence farming and selling some surplus and processed foods such as *cassareep* to support their families. Main crops include cassava, eddoes, plantain, potatoes,



yams and sugar cane. Traditional foods include cassava bread, *cadakura* and cottonseed oil. Some of the main farming grounds are inside the land title (Shell Hill, High Hill, Bamboo Hill, Mabouria and at Central Koriabo) but others are outside the title on the Beckwa River and in Kabakali area. Hunting, fishing and gathering grounds include both banks of the Barima River and its tributaries but many lie outside the title including Dutch Hill, Mari Mari, Manari Creek, Four Miles, Haimakoro Creek, Sand Creek, Sixteen Miles (Barima River) and the head of the Beckwa Creek as well as Blackwater Savannah and Red Hill which are shared with neighbouring communities. Craft materials are scarce in the titled area. Residents have to go outside the titled area to gather *mucru*, even as far as the Moruca savannah. Some farm produce is sold to buyers in Chinese Landing, Arakaka and Port Kaituma while craft items are sold to a church pastor from Trinidad whenever he visits. Four residents do small-scale gold mining.

8. **Community projects:** The village is currently building its own guesthouse, upgrading its playing field and repairing the primary school.
9. **Institutions and services:** Barima Koriabo has a primary school (St Margarets) while secondary students attend North West Secondary School or Kaituma. There is one health hut staffed by one community health worker.
10. **Current land title status:** A title was first granted in 1976 as described in the Schedule to the 1976 Amerindian Act; and in 1991 under the State Lands Act. The Village Council no longer has a copy of the 1991 title document.
11. **Existing title description:** "The area commencing at the mouth of the Blackwater Creek, right bank Barima River, thence up the Black Water Creek to its source, thence along the watershed of the Koriabo River to the source of an unnamed tributary¹¹⁰ on the right bank of the Manari River (RB), thence down the said unnamed tributary to its mouth, thence down the Manari River and the Manari-Barima, Itabu, to the Barima River, thence down the Barima River to the point of commencement."¹¹¹
12. **Title suitability: Inadequate.** The titled lands don't include customary lands used for farming, hunting, fishing and gathering along the Barima River (left bank) and between Beckwa Creek and Black Water Creek. Former settlements and two homesteads (Elias Rupertree, right bank Beckwa Creek, and Philbert Josephs in the Kabakali area) are also excluded. Residents complain that their titled land is not enough for farming needs because the population is growing and about half of the titled lands are swamps and rock. There was no formal consultation held with the village before title was issued, but older residents recall that during the visit of the ALC in the 1960s and during later visits by Guyanese government officials in the 1970s, the community had stressed that their titled lands must cover both banks of the Barima River.¹¹²

110 Residents know this creek as Sand Creek.

111 Schedule to 1976 Amerindian Act.

112 The ALC report however only documents the request on one bank of the river. This appears to show problems with the ALC's methods.



- 13. Title demarcation: Complete but defective.** Titled lands were demarcated in 2008. The Toshao and three other villagers were involved in cutting the survey lines. However, villagers say they never received a copy of the demarcation map.
- 14. Demarcation suitability: Flawed.** There was no village meeting prior to demarcation and the villagers cutting lines didn't know much about the technical equipment used or the boundaries. Villagers recall that the demarcation didn't match two key points in the description on the land title. First, the survey team did not reach the source of Blackwater Creek (right bank Barima River), but confused it with a tributary (rather than its source) of the Beckwa Creek (right bank Barima River). The Beckwa Creek is further down the Barima River than the Blackwater Creek. Villagers assert that the confusion between the source and the tributary of the Beckwa Creek arose because a miner who had a mineral claim there influenced the surveyors to exclude this area while GLSC were doing the demarcation. Many residents feel that the inadequate title and demarcation have harmed their daily lives as most of their hunting, fishing and gathering grounds were left out. These areas were granted as logging or mining concessions to companies such as Barama and Ja ling. The Barama Company harassed some residents while hunting in the area. Game stocks have decreased because of logging activity in their traditional lands. Demarcation has also created conflict in the Anaturi area with the neighbouring Village of Chinese Landing where residents of Chinese Landing stopped people from Kariabo from mining.
- 15. Extension status: Application filed but unresolved.** Residents discussed an extension at length in a Village General Meeting. The extension application was sent via the Regional Chairman Mr Paul Pierre in 2012.
- 16. Extension description:** The proposed area extends the title from Beckwa Creek to the Blackwater Creek (right bank Barima) and the left bank of Barima to include both sides of the Barima River.
- 17. Extension suitability:** N/A
- 18. Extension justification:** Customary lands used for homesteads, farming, fishing, hunting and gathering currently have no legal protection while other areas were ignored in the flawed demarcation process. People are worried because the population is growing and the Village needs all its customary resources. Villagers also want greater control over the destructive

mining taking place in both the Manakura Creek head and along the Barima River, which is polluting the Barima, their main source of water.

- 19. Response from government:** The Village Toshao filed the application in 2012 and visited MoAA in 2013 to follow up on the extension. But a project officer told him that no application had been received. On his return home, the Toshao visited the Regional Chairman and asked about the application. He was told that someone at the Ministry may have thrown away the application and that he should reapply. The Toshao was extremely disappointed at this response.
- 20. Land and resource conflicts:** Gold mining in their untitled customary lands on the upper Barima River (Araka) is affecting the water that residents use to drink, bathe and wash as well as the fish they eat. The water is very turbid with a lot of sedimentation. One miner was working within village lands with permission of the former Village Council members, but the new Village Council elected in 2013 told him to remove all equipment. Disputes with residents of Chinese Landing are also common over access to mining sites in the Anaturi area. Barima Koriabo sent a formal letter to the former MoAA and to GLSC requesting their intervention, but received no response (2015). There were conflicts in the past with GFC and the Barama Company when residents were cutting lumber in the concession (around 2002-3) resulting in some fines for community members. Information on the Geonode website (2015) showed the Barama logging concession overlapped almost all the titled land (as well as untitled customary land) of Barima Koriabo. GFC said this would be corrected in due course, but the Village did not receive any updates although the concession has now expired and has not been renewed (November 2016).
- 21. Land security:** Although the Village holds a title it leaves much of their customary lands outside the title without legal protection, especially on the left bank of the Barima River. Residents are also worried that the flawed titling and demarcation process has caused disputes with Chinese Landing.
- 22. Livelihoods and environment:** The previous disputes with GFC and Barama Company have increased residents' worries that hunting and cutting of timber for domestic or commercial purposes on their untitled customary lands will be more and more restricted and that they will be punished for using these lands. Residents complain that water pollution caused by mining in the upper Barima River makes the fish taste unpleasant and go rotten quickly. They no longer drink the Barima River water and only use it for bathing and washing. The water quality gets worse in the dry season when there is more sediment. Villagers fear that, if mining continues, the river water will be completely unusable. Residents were not consulted about either the mining or forestry concessions and are extremely worried about game and fish becoming scarcer and unhealthy. Small-scale mining practices by residents of both Chinese Landing and Barima Koriabo is causing some forest loss in the Anaturi area, an area both inside and outside their titled land that is being disputed by the two villages. Much of Barima Koriabo land is not good for farming (swamp or dry hills) and they are concerned that good land will become scarcer due to mining activities.
- 23. Recognition and measures sought:**
 - a. Residents and village authorities want the errors made during demarcation corrected, and their title to be extended to include all the customary lands (particularly those on left bank of the Barima River) that were left out of the existing land title.
 - b. They insist that the government must legally protect their traditional lands and their right to use resources within them, whether below or above the ground.
 - c. They recommend that the government should involve the APA and the NTC in processing applications for land titles and that the NTC should monitor the land applications filed with the government and press them for responses.

Key findings:

- Arukamai holds a title which leaves out key areas of traditional lands including homesteads, farms, farming grounds, hunting and fishing grounds on the right bank of the Koriabo River and along the Wauna-Yarakita Road.
- Although it is limited, having a legal title has helped Arukamai keep destructive loggers off their land.
- The village leaders and residents had to lobby strongly during the demarcation to make sure it followed the title description accurately.
- Forestry concessions were granted to outsiders on untitled customary lands along the Wauna-Yarakita road without Village consent.
- Some villagers are worried that REDD+ projects may become a new threat to their customary untitled lands.
- Residents call on their Village Council to make an application for land title extension as soon as possible.
- Residents are worried that the Shell Beach Protected Area, which was set up without their free, prior and informed consent, may restrict their traditional gathering from the sea and coast.
- Arukamai is not included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Aruka River, Mabaruma sub-region, Region 1.
2. **History:** Shell mounds and clay objects on Nahahina Creek show the longterm Amerindian use and occupation of the area. Clay pots and carvings are found widely, often on sites of former settlements including Hotahana Hill (right bank Koriabo River) and Bakawari Creek on the boundary between Yarakita and Arukamai. The present Village was founded at least 100 years ago by families including Mariano, Walkers, Fedricks, Desouza, Josephs, Raphael and Henaro.
3. **Main neighbouring communities:** Kamwatta and Yarakita.
4. **Estimated population:** 360 (65 households) (2013).
5. **Identities of residents:** Warrau, Arawak and Carib.
6. **Local government:** A Village Council with a Toshao and twelve councillors.
7. **Land use and economy:** Most residents depend on subsistence and small scale farming for their livelihood. Crops include bitter and sweet cassava and ground provisions as well as ginger, pumpkin and sweet potatoes. Traditional drinks and foods are made including *paiwari*, fly and cane juice, cassava bread and *cadacura*. The Village has three settlements with satellites at Moraquina and Little Arukumai; all are within the title boundaries. The main farming grounds are at Moraquina, Nahahina and Arukamai Head inside the title boundary although farming grounds are also on the Koriabo River (right bank) including at Maradawa, where plantains grow well. Important hunting and fishing grounds are up the Arukumai head, Bakawari Creek and Moraquina Creek. Key hunting and fishing grounds outside the title are on Koriabo River

(right bank) including at Hotahana (the site of a former settlement) and at Shell Beach, where residents traditionally get crab and turtle.

- 8. Community projects:** None discussed.
- 9. Institutions and services:** The village has a nursery school and a primary school (St Anthony's). Most secondary pupils travel daily to Wauna Secondary School, but a few are boarders at Northwest Secondary. The village has a community health post staffed by two community health workers.
- 10. Current land title status:** Title was processed under the 2006 Amerindian Act and granted under the State Lands Act in 2006.
- 11. Existing title description:** "The area commences at the mouth of the Moura Creek thence along the right bank to the Yarakita road, thence along the Yarakita road to Locust Hill, thence in a north-easterly direction to the source of the Bakawari Creek, thence down the left bank of Bakawari to Koriabo head, thence down Koriabo River (left bank) to the point of commencement."¹¹³
- 12. Title suitability: Inadequate.** Homesteads, traditional farmlands, hunting, gathering and fishing areas were left outside the title. Excluded areas include the land between the Wauna-Yarakita road and the Amakura River and parts of the right bank Koriabo River where there are six households. Arukamai residents are worried about this because they have seen their customary lands granted to outsiders e.g. an area on the Wauna-Yarakita Road, which was registered as a State Forest Permit and held by outside logging interests (Wauna Loggers Association).
- 13. Title demarcation:** Completed in 2008. Some residents, including the Toshao, were involved.
- 14. Demarcation suitability:** As far as residents are aware, the demarcated boundary generally follows the limits described in the title. But during the demarcation process, surveyors tried to increase the excluded area on each side of the road. The Toshao and the Village had to take action to make sure the legal distance of 50 ft was respected. During the demarcation of the neighbouring village of Kamwatta, Kamwatta residents asked for their farmland area inside Arukamai's boundary to be included within their own village boundary. Arukamai's Village General Meeting decided to allow this.
- 15. Extension status:** Several residents are calling on the Village Council to prepare and submit an application.
- 16. Extension description:** N/A
- 17. Extension justification:** Key community lands are excluded from the existing title. Residents are worried that the growing outside interest in their lands, including new forest carbon schemes, may make it more likely that the government will grant their untitled customary lands and forests to third parties.
- 18. Response from government:** N/A
- 19. Land and resource conflicts:** In the past Arukamai suffered from conflicts and destruction caused by logging on their lands. The Village has struggled for the legal recognition of their lands and forest since the 1970s. Their efforts eventually gained them a land title in 2006 after discussing the problem with the Minister for Amerindian Affairs in 2005. Since 2006 Arukamai has been able to exclude logging companies from their titled lands. But their untitled customary lands are still overlapped by logging concessions including a State Forest Permit (see 12 above) that was given without the consent of the Village. Similarly, the Shell Beach Protected Area was created without any formal consent process. Residents are worried it will affect their subsistence harvesting of turtle and crab.

113 According to residents' description, as the Village Council has mislaid the official title document.



20. Land security: The land title has made residents feel a lot more confident about their land rights, though some are worried about key areas being excluded. The growing interest in their lands for forestry and carbon capture is making residents think about an extension to get ownership and control over the customary lands and forest area that are not in the title.

21. Livelihoods and environment: Residents are angry that valuable timber resources in their customary lands were formally given to loggers, who depleted them. Before Arukamai secured its title, its forests were already heavily logged by outside timber companies. Timber is still there, but valuable species in the Bakawari Creek and in Little Arukamai are much scarcer. In 2013, a Guyanese investor who wanted to open a granite quarry within their titled land visited the Village. Even though the villagers see opportunities with such a project, they know about the bad effects of similar projects in other villages. At the time of this survey, the investor had not followed up the plans. Residents say that fish are still available although stocks have decreased; game animals have increased because there is less logging. Residents consider that soils and wetlands are still good for farming but most of the best farming lands are outside the title. As Arukamai is mainly a farming community, farm lands within their title are under pressure. Residents still have access to clean water. They are worried that the new Shell Beach Protected Area will restrict traditional crab catching and turtle harvesting.

22. Recognition and measures sought:

- a. The Village urges the government to tackle land issues at a national level by making sure that Village titles include Amerindian customary lands.
- b. Arukamai residents call on their Village Council to draw up and file an extension application to include all its customary lands.
- c. Villagers want the authorities to cancel licenses granted on their customary lands without their consent, especially the State Forest Permit on the Wauna-Yarakita Road.

Key findings:

- **Barabina does not hold a title.**
 - Residents of Barabina have no secure access to farmland or to forests for hunting, gathering or obtaining materials for building or craft.
 - Barabina requested communal title in evidence provided to the Amerindian Lands Commission in the 1960s.
 - The Village was not included in the land titles scheduled in the 1976 Amerindian Act.
 - Barabina filed a repeat application for title in 2006, but despite repeated requests for updates there has been no formal response from the government.
 - Uncertainty hangs over the proposed communal title while the GLSC continues to promote individual land titling.
 - Barabina's lands are routinely used to extract materials for highway maintenance without the prior consent of the village.
 - Forest resources are almost used up due to unregulated commercial logging in the 1980s.
 - Many residents call on MIPA to speed up their longstanding application for communal land title, while others apparently wish to retain CDC status and want individual titles.
 - Barabina is not included in the Amerindian Land Titling (ALT) work plan.
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1. **Location:** Left bank Aruka River, Mabaruma sub-region, Region 1.
2. **History:** There is evidence of thousands of years of continuous Amerindian use and occupation in this area, including shell mounds at Shell Point (also known as Skull Point) where the late Dennis Williams carried out excavations. The findings date back at least 6000 years and show that individuals were buried in curled-up positions with objects placed in the grave. Residents consider that Shell Point and Tiger Cave are connected with their own ancestors; both sites are very important in Barabina's heritage. Former settlements are at Kamwatta Landing and at the mouth of the Koriabo River. Founding families of the present-day village site include Robinson, Torres, Emmanuels, Benette and Christano.
3. **Main neighbouring communities:** Mabaruma, Koberimo (untitled Amerindian village) and Kumaka (mixed CDC).
4. **Estimated population:** 482 (86 households) (2013).
5. **Identities of residents:** Warrau, Carib and Arawak.
6. **Local government:** Community Development Council (CDC) consisting of a Chairman and eleven councillors.
7. **Land use and economy:** Most residents depend on small-scale subsistence farming. Cash cropping is limited, as they cannot transport products to Mabaruma due to continued flooding of the road. The main crops are cassava, eddoe, yam, potato, plantains, coffee and coconut.

There is one main settlement and most residents farm either in Central Barabina, around Skull Point or Shell Hill. Main hunting and fishing grounds include Koberimo Hill, which is shared with Bumbury Hill Village and Koberimo. Other hunting, fishing and gathering grounds include Korasaima Hill, Lime Creek, Tiger Hill and Skull Point as well as the Amakura River, which forms the boundary with Venezuela.

8. **Community projects:** No information obtained.
9. **Institutions and services:** Barabina has a primary school. Secondary students go to North West Secondary School or Hosororo Primary tops, both of which they can travel to daily. Health services are provided by the public hospital at Mabaruma.
10. **Current land title status: No title.** The village is a currently a CDC, but a significant number of residents want title as an Amerindian Village.
11. **Status of application for title:** The Village submitted evidence to the Amerindian Lands Commission in the 1960s and the Commissioners did accept the request for communal title, but a title description was never included in the 1976 Amerindian Act. The former CDC chairman (Mr. Birchman) applied for communal title again in 2006, but so far there has been no resolution, formal feedback or official commitment to support the application of the community (see 14). Residents are confused and frustrated by the lack of official response.
12. **Proposed title description:** From Barabina Bridge northwards to Kokerite Hill then north-west to Tiger Hill, then westwards in a straight line to Line Creek, thence southwards along Line Creek to Korasaima Savannah, thence eastwards to the start point between Barabina and the Koberimo Hills.
13. **Proposed title justification:** Many residents say that, without a collective land title covering farming, fishing, hunting and gathering grounds, their land and food security are under threat. They emphasise that a title would safeguard their access to, and protection of, places that are very important for their sense of identity such as Shell Point and Tiger Cave – sites occupied by their foreparents and ancient ancestors that hold great spiritual importance.
14. **Response from government: Inadequate and contradictory.** Although the application was filed in 2006, the village has received no formal written response. The CDC chairman Mr Birchman followed up verbally at a NTC meeting in 2011 when the former Chair of the NTC told him that, according to the former MoAA, Barabina must resubmit its application. A representative from the former MoAA visited Barabina in 2012 to facilitate Toshao elections. Mr Birchman again enquired about the application and the representative replied: *"I saw the application on the (Minister's) desk and I felt it would have been approved."* These signs of support for Barabina's application appear to conflict with a parallel process in which the GLSC has reportedly been encouraging residents to apply for titling of individual lots. In 2011, an officer from GLSC visited Barabina to conduct 'an occupational survey'. He told residents that everyone would have to pay GY\$30,000 for individual title and encouraged residents to apply. The official said that this would help in securing loans. Community members said, however, that they did not fully understand what having an individual title would mean for them.

In 2012 the CDC sent a letter to the MoAA questioning why GLSC was asking for payment, and reaffirming Barabina's application for communal lands, but no response was received. In 2013, residents asked at the Mabaruma office of GLSC and were told that the government was not currently processing any Amerindian title applications. However, GLSC officials continued to push for individual titles and told residents they should organise a community meeting on this subject. At the community meeting with 76 families, 56 families said they preferred a communally-held title rather than an individual title. This information was sent to the former MoAA.
15. **Land and resource conflicts:** Community lands were heavily logged in the 1980s by outsiders, but logging has decreased as all commercial timber resources have now been taken. Similarly there is no mining in the community. But the regional government is taking clay/loam, without the free, prior and informed consent of the community, to build and maintain public roads that

run through their lands. Residents feel strongly that this extraction should not happen without their agreement.

16. Land security: Residents feel that their tenure and ability to make a living from the land is at risk so long as they don't have a collective land title.

17. Livelihoods and environment: There is no commercial timber near the village because of commercial logging in the 1980s. The community is told they must get permission from GFC to take materials for building or crafts. Commercial logging has removed large trees causing a decrease in game animals, which are also affected by hunting by the growing population of Barabina and neighbouring villages. Residents have to travel to distant streams during the dry season to get clean water. In the wet season they rely on rain water but not everyone has tanks. Some residents use the local spring, but this is often contaminated by runoff.

18. Recognition and measures sought:

- a. Residents want the Ministry of Indigenous Peoples Affairs (MIPA) to deal quickly with their application for communal title and make sure that this application is not confused by GLSC's parallel efforts to promote individual titles.
- b. The local government must get the permission of the village if they wish to extract clay or loam from within their territory.
- c. Residents know that Barabina is not the only village experiencing these problems. They want relevant laws including the Amerindian Act to be revised to make sure that traditional lands of Amerindian peoples are respected and recognised and that their consent is obtained if and when a third party (including the government) wants to take resources from their territory.



Key findings:

- Yarakita holds a land title, but the title leaves out the vast majority of Yarakita's traditional lands including most of the hunting and fishing grounds.
- The Village's 2012 application for extension of the land title has not had any formal response from the government.
- Yarakita's customary lands are overlapped by timber concessions, which are destroying the community's forest, depleting valuable timber species and scaring away game animals vital to residents' livelihoods.
- Residents call for their application for land title extension to be processed quickly and the forestry concessions issued on their customary lands without prior agreement of the Village to be cancelled.
- Yarakita is not included in the Amerindian Land Titling (ALT) work programme.

1. **Location:** Yarakita River, Mabaruma sub-region, Region 1.
2. **History:** Evidence of Amerindian use and occupation of this area over a very long time includes a shell mound at Yamu mouth (Upper Yarakita Creek). Amerindian objects such as clay pots and rock carvings are widespread e.g. on the Morokaikuru Creek and other areas. Former settlements include Hosaida and the old Mission (both in the Upper Yarakita Creek). Records of settlements in the Yarakita area date back to the 18th century. Founding families of the present-day village site include Flores, Thomson, Abraham and Emmanuel.
3. **Main neighbouring communities:** Hobodia, Arukamai, Sebai and Hotoquai.
4. **Estimated population:** 732 (113 households) (2013).
5. **Identities of residents:** Warrau, Arawak and Carib and three East Indian/mixed race households.
6. **Local government:** Village Council with a Toshao and twelve councillors.
7. **Land use and economy:** Most residents depend on subsistence and small scale farming for their livelihood. They grow bitter and sweet cassava, other ground provisions, ginger, citrus fruits, coffee and vegetable greens. Traditional drinks and foods include *paiwari*, *cassiree* and *parakari*, cassava bread and *cadacura*. Residents live in at least ten settlements (Yarakita Creek, Hauling Over, Arawau, Yorokaikuru, Wamaina, Tiger Hill, Morokaikoro, Morabacca, Mckenzie and Wanakai). All these settlements and their farming grounds lie within the title boundaries. Important community hunting and fishing grounds outside the titled area include the Amakura River, Idubaka, Horibaka and Hanaisha Creeks, Sebai head and the Aruka head. Some of these hunting and fishing grounds are shared with Hobodia, Arukamai and Hotoquai.
8. **Community projects:** No information obtained.
9. **Institutions and services:** The Village has a nursery school and a primary school (200 students). Those able to go to secondary school and where accommodation is available attend Wauna Secondary, Hosororo Primary tops or Northwest Secondary. The Village has a community health post staffed by two community health workers, and there is a police station.

- 10. Current land title status:** Title processed under the 2006 Amerindian Act and granted on 24th October 2007 under section 3 of the State Lands Act.
- 11. Existing title description:** "The area commencing at the mouth of the Yarakita River, right bank Amakura River and its boundaries extends thence down the Amakura River to the mouth of the Sawarikuru River, thence up the left bank of the said river for approximately 6 miles, thence in a south-easterly direction for approximately ½ mile to the source of the Bakerawari River thence down the right bank of the Bakerawari River to its mouth, right bank Koriabo River, thence in a south-westerly direction for approximately 0.5 mile to a point on the left bank of the Aruau River, thence up the left bank of Aruau River for approximately 1.5 miles to a point on the confluence of the Aruau River and Lurukaikuru River, thence up the left bank of Lurukaikuru River to its source, thence due west for approximately 10.5 miles to a point on the left bank of an unnamed tributary of Waiumu River, thence up the left bank of the unnamed tributary to its source, thence in a north-westerly direction for approximately ½ mile to a source of an unnamed tributary of the Amakura River, thence down the right bank of an unnamed tributary to its mouth on the right bank of the Amakura River, thence down the right bank of the Amakura River to the point of commencement. Save and except 66 feet on either side of all navigable rivers and creeks and all lands legally held."¹¹⁴
- 12. Title suitability: Inadequate.** The main settlements and farming lands lie within the title area, but most of their ancestral lands used for hunting, gathering and fishing are outside the title including Wanakai Creek, Amakura River (left bank), the head of the Aruka River and the Sebai Creek.
- 13. Title demarcation:** Completed on 4th August 2008. Some residents including Leon La Cruz and Gregory Abrahams were involved as line cutters. A demarcation certificate was issued on 3rd July 2009.
- 14. Demarcation suitability:** Villagers report that, in the northeasterly area between Yarakita and Arukamai, the GLSC survey team did not physically cut the line on the ground. Instead the surveyors took a few GPS positions in a straight line between the source of the Sawarikuru River and the source of the Bakawari River. As a result, the demarcation map shows the boundary as going through a part of Arukamai's land. As both Villages know their common boundary as described in their title descriptions, this mistake has so far not led to conflict. Nonetheless, residents are concerned that it could cause problems in the future. Errors during the demarcation also meant that a neighbouring forestry concession overlapped Yarakita's lands by up to 150 metres in one place. After GFC discovered and verified this, it stated verbally that the concession holder must not cut any timber within Yarakita's title. However, GLSC has apparently not yet dealt with the demarcation mistake.



114 Description from title document of 2008.

- 15. Extension status: Filed but no response to date.** The Village filed its application for the extension in around 2012. The Village was not included in the Amerindian Land titling (ALT) work programme adopted in 2013.
- 16. Extension description:** The proposed extension includes the Amarakura head.
- 17. Extension justification:** The extension includes key fishing and hunting grounds that form part of the customary lands of the Village.
- 18. Response from government: None.** No formal response from the government has been received to date (2016).
- 19. Land and resource conflicts:** Two logging operators, one with a concession at Aruka head and Ja Ling (near the border with Venezuela), were granted concessions in Yarakita's customary lands without obtaining the community's agreement beforehand. This angered residents who said that *"this is total eyes pass"* because of the failure to respect the community. This survey finds that GFC and the former MoAA have not responded to Village complaints. Residents are worried that commercial logging is taking all the valuable timber, and the heavy machinery is scaring away game animals.
- 20. Land security:** Residents feel that their ownership and control of their customary lands is threatened by the logging concessions and GFC's increasing control over the Village's forestry activities.
- 21. Livelihoods and environment:** Residents are concerned that logging is taking valuable timber in their customary lands. Some people are worried that this is also happening inside the title, where loggers are working with permission of the Village. Villagers report that game and fish are becoming scarce, although soils are still good for farming. However, with a rapidly rising population, the pressure is growing on farmlands within the titled lands. Wetlands are still healthy and villagers still have access to clean water. They are concerned that the Shell Beach Protected Area, which was set up without any formal consent process, may restrict traditional crab catching and turtle harvesting by residents.
- 22. Recognition and measures sought:**
- a. Residents urge the government to deal with outstanding land claims by legally recognising communities without land titles, responding quickly to those that have applied for extensions and stop issuing concessions on Amerindian customary lands.
 - b. The government should cancel licenses granted on Amerindian lands (both titled and untitled) without the free, prior and informed consent (FPIC) of residents.
 - c. Residents call on the government to amend the Amerindian Act to incorporate these FPIC standards.
 - d. The government should visit communities to obtain direct information on local needs and concerns (not just updates provided by Toshaos in NTC meetings).
 - e. The government should make title demarcation surveys consult properly with villagers and Village Councils, including obtaining their FPIC and making sure that the community verifies the demarcation, including the exact position of cement or metal boundary markers.
 - f. Residents urge their Village Council to stop granting permission on titled lands for cutting lumber.
 - g. The Village Council should ask MIPA for an update on its application for land title extension and report back to the Village.

Key findings:

- **Koberimo does not have a land title.**
- Residents have no information about a communal land title and what it might involve.
- Residents still farm, hunt, fish and gather forest materials although some households now depend on shop-bought food.
- Residents must buy timber products from neighbouring villages.
- Koberimo is not included in the Amerindian Land Titling (ALT) project.

1. **Location:** Mabaruma sub-region, Region 1.
2. **History:** The oldest resident, who is 87 years old, moved to Koberimo from Mabaruma when she married and remembers that there were already well established families including Williams, Hosorio, Smith, Aguilar, Perez and Prince.
3. **Main neighbouring communities:** Bumbury Hill, Hosororo and Barabina.
4. **Estimated population:** 30 households (2014).
5. **Identities of residents:** Warrau, Carib and Arawak.
6. **Local government:** Community Development Council (CDC) consisting of a Chairman and several councillors.
7. **Land use and economy:** Although some residents need to buy food from Kumaka, many still depend on subsistence farming for their livelihoods. Main crops include cassava, corn, pineapple, coconut, mango, pear and coffee as well as many different fruit trees. Traditional foods and drinks include cassava bread, pepperpot, *paiwari*, corn wine and potato wine. Most residents farm on Koberimo Hill and Creek, and around Skull Point, where farming grounds are shared with Barabina (see 5.1.16). Key hunting and fishing grounds include Koberimo Hill and Creek. Fishermen travel to the Aruka River and some as far as the Waini mouth where they catch crabs. Craft materials are near the village, but there is no lumber anymore. Timber products have to be bought in finished form from neighbouring villages such as White Water and Arukamai.
8. **Community projects:** No information obtained.
9. **Institutions and services:** Koberimo has a primary school and secondary students go to North West Secondary School or Hosororo Primary tops. Health services are provided by the public hospital at Mabaruma.
10. **Current land title status:** **No land title is held.**
11. **Status of application for title:** Currently there is no application for title although in 1969 ALC recorded that Koberimo and Barabina wished to apply for a shared communal title because the

¹¹⁵ This summary is incomplete due to difficulties that stopped the field work. The then regional administration in Mabaruma (July 2014) told the CDC Chair that he should not permit APA's work in Koberimo. The Chair was warned that he could lose his job as a teacher for hosting the public meeting at the school. Many of the residents were frustrated at this interference and wanted the team to stay.



two villages share the use of resources.¹¹⁶ In 2014 residents said they didn't know how to apply for a communal land title or what it might involve.

12. Proposed title description: N/A

13. Proposed title justification: No information or proposals discussed.

14. Response from government: N/A

15. Land and resource conflicts: Residents said that some of their customary lands between Mabaruma, Koberimo and Komaka were given to outside leaseholders. However, no further information could be obtained because the field visit was stopped (see footnote 115).

16. Land security: Some residents said they were not worried at not having legal rights over their lands, while others were extremely worried about this, and their uncertain situation.

17. Livelihoods and environment: Commercial logging in the 1980s has removed all commercial timber in the area closest to the village. The community now has to get timber products from neighbouring villages. Some residents now depend on buying food from Komaka. Drinking water is collected in tanks from rainwater or groundwater using a solar-powered pump.

18. Recognition and measures sought: No information obtained (see footnote 115).

¹¹⁶ Report by the Amerindian Lands Commission (1969) Georgetown, Guyana at 134

Key findings:

- The land title held by the Village is very small, covering just one square mile.
- The title was issued without consulting the residents beforehand.
- The title area leaves out farms and traditional hunting, fishing and gathering grounds.
- Residents have to buy products from shops as they have no forest resources within their land title.
- The Village applied for a land title extension in 2010, but the government has not yet formally replied.
- The land title extension is scheduled for ‘Year 3’ of the Amerindian Land Titling (ALT) project but in 2015 villagers and the Council still had no information about this project.

1. **Location:** Mabaruma sub-region, Region 1.
2. **History:** There is plenty of evidence showing longterm Amerindian use and occupation of the area including pottery jars and pots that are often found in farming grounds. Residents say the present-day Village was founded in the 19th century. Founding families include Bumbury, Hernandez and Romaseindo.
3. **Main neighbouring communities:** Tobago Wauna, Koberimo, Hosororo, Barabina and Whitewater.
4. **Estimated population:** 174 (24 households) (2013).
5. **Identities of residents:** Mainly Warrau, some Arawak families.
6. **Local government:** A Village Council with Toshao and seven councillors.
7. **Land use and economy:** Most residents depend on subsistence and small-scale farming and some cash cropping for their livelihood. They produce bitter and sweet cassava, other ground provisions and fruits, sweet potatoes, cocoa and citrus fruits. Common traditional drinks include *paiwari* and fly. There is only one main settlement and residents farm lands at the foot of Bumbury Hill, part of which lies outside the title boundary. The main hunting and fishing grounds include the Shebetero Hill and Creek and the Korasaima Hill and Creek, which lie outside the title. These areas, along with Tobago Hill, are the main places where residents get forest materials, including lumber from Korasaima and Shebetero.
8. **Community projects:** No information obtained.
9. **Institutions and services:** The village has no nursery or primary school. Pupils walk to Hosororo Primary School. Thirteen students attend Northwest Secondary School, while the remainder attend Hosororo Primary tops. The nearest health post is eight miles away at Mabaruma hospital.
10. **Current land title status:** Title granted under the 1976 Amerindian Act and later issued in 1991 under the State Lands Act.
11. **Existing title description:** “The area commences at the north-eastern corner of Grant No. 7490 and extending in a north-westerly direction for three quarters of a mile, thence in a south-

easterly direction for quarter mile to the upper boundary line of area held under Lease A 8684, thence in a southeasterly direction along the upper boundary lines of areas held under Leases A 8684 and 9406, thence along the back boundaries of areas held under Leases A 7116 and A 7476 and Grant No. 7493 to the point of commencement.”¹¹⁷

- 12. Title suitability: Inadequate.** The title area is very small. It covers just about one square mile and excludes the community’s main hunting and fishing grounds along the Wanaina Creek (Shebetero Hill, Korasaima Hill and Sand Hill) as well as homesteads and farms on Bumbury Hill itself on the northern and eastern boundary of the title. Residents also denounce the fact that at least eight private leaseholds on the eastern boundary of their titled land were excluded from their title. Many residents stress that there are already not enough suitable farming grounds within their title. Villagers say that, although the village was visited as part of the Amerindian Lands Commission (ALC), they do not recall nor recognise the recorded request that was allegedly made for only “1000 acres at Sibatoro hill.” Residents complain that community members were never fully consulted before the title was issued in 1976 and 1991.
- 13. Title demarcation:** Conducted and completed in 2005. Residents were involved in the demarcation as line cutters.
- 14. Demarcation suitability: Flawed.** Residents say they objected to the survey because the existing title excludes parts of their customary lands. The official GLSC map documents the observations of the Toshao who objected to the exclusion of the areas held as private leases on the eastern boundary. No natural features were used to guide the demarcation, which makes it difficult for residents to check whether demarcation followed the title description. Furthermore, the Warrau names of important natural features such as Shebetero Hill are not included on the map.
- 15. Extension status: Pending and unresolved.** After internal consultation the Village sent the extension application to the MoAA in 2010. The Amerindian Land Titling (ALT) programme document (2013) says extension work is scheduled for year 3, but work had not started in 2016.
- 16. Extension description:** The proposed area includes the untitled customary lands along the Wanaina Creek including the Shebetero and Korasaima Hills.
- 17. Extension justification:** The existing title is extremely small. It neither meets villagers’ needs for farming nor covers the forest areas that residents use for hunting, fishing and gathering of vital materials. Residents have to buy much of the material they need for craft and construction.
- 18. Response from government:** No direct response (although included in ALT work programme).
- 19. Land and resource conflicts:** There are no outsiders taking resources from their titled lands. Residents still use their customary lands for hunting, fishing and gathering, but they no longer feel free to do so particularly where these areas are leased by outsiders. Villagers say that they no longer cut timber from the Shebetero and Karasima Hills because they fear being penalised by GFC officials.
- 20. Land security:** Residents are very anxious that their application for extension will not be approved. They say this is essential if they are to continue to make a living from their lands.
- 21. Livelihoods and environment:** Residents feel restricted in using their customary lands for hunting, fishing and gathering (see 19 above). There is very little primary forest left in their titled area, and so there is no timber left to cut. The forest and wetlands in their untitled customary lands are still healthy but residents protest that restrictions imposed by GFC mean they can no longer cut lumber for their own use from these areas, and they have to buy in finished wood products. As there is no mining, villagers have clean drinking water from a local well (pond) they have built; there is no spring or stream providing clean water in their titled lands. The soil is still good for farming, but residents worry about the coming years as there is simply not

117 Schedule to 1976 Amerindian Act and official GLSC map.

enough available land and residents already have to farm outside the title. Game and fish are still available, although not as bountiful as before due to population growth and hunting in the same areas by other villages. As a result, residents often obliged to live from shop produce.

22. Recognition and measures sought:

- a. Villagers urge the government to recognise their proposed extension as soon as possible and make sure it includes their traditional lands.
- b. The government must make sure that, before any lands are given to third parties, Amerindian villages are consulted to see if their lands will be affected and, if so, if they agree to such developments.
- c. Residents know that this issue affects all Amerindian peoples who must therefore unite, work together and *"hold one head"* (have one idea).
- d. Residents call on their Village Council to press the government to approve their extension proposal, and carry it out in a just manner.



Key findings:

- **Khan Hill does not have a title.**
 - The village filed a land title application in 2011 which remains unresolved.
 - Residents are anxious about their insecure tenure and fear they may be forced to relocate.
 - Khan Hill is not included in the Amerindian Land Titling (ALT) work programme.
-

1. **Location:** Barima River, Mabaruma sub-region, Region 1.
2. **History:** Residents say that the Santiago family founded the current village in the late 1800s or early 1900s. Longstanding Amerindian occupation of the area is clear from the sites of cultural importance such as Tiger Hill as well as former settlements including Kokerite Kill, Krotall Hill and Mango Hill, where there are large mango trees and other permanent crops.
3. **Main neighbouring communities:** Barabina, Mabaruma and Thomas Hill.
4. **Estimated population:** 94 residents (12 households) (2014).
5. **Identities of residents:** Warrau.
6. **Local government:** Community Development Council (CDC) consisting of a Chairman, Secretary, Treasurer and two councillors.
7. **Land use and economy:** All residents now live at the settlement of Khan Hill and depend on subsistence farming nearby for their livelihoods. The main crops are cassava, coconut, pepper, corn, sweet potato, plantain, banana, sugar cane, lime, pear, lemon, sugar apple, mango, guava, monkey apple and soursop. The main hunting grounds include the swamps surrounding Khan Hill, Line Creek (right bank Barima) and the Hanakawaha Creek (Barima end road area). Residents fish on the Barima River, Line Creek and some catch crabs at Shell Beach. Timber for house building and other important craft (e.g. *mucru* and *nibbi*) and building materials come from the swamps surrounding Khan Hill. To generate a monetary income many in the community collect and sell rocks and gravel from Tiger Hill.
8. **Community projects:** No information obtained.
9. **Institutions and services:** Khan Hill children go to St Joseph's Primary School, which is outside the village, while older students walk six miles daily to attend North West Secondary School. There is no health hut.
10. **Current land title status:** **No title.**
11. **Status of application for title:** The village has not applied for a title. Most residents surveyed during this assessment in 2014 did not know much about different types of land title. But some residents think that the lack of legal rights over their land is a matter of concern. The CDC had raised the issue with a former Minister of Amerindian Affairs. The Minister reportedly promised to look into the issue, but no updates had been received in 2015.
12. **Proposed title description:** The community has not been through a proper process to agree on an area to propose for titling.

- 13. Proposed title justification:** Residents currently have no legal security for their lands and are becoming worried about outsiders settling in the village without permission. Community members are also anxious about a government-proposed housing scheme for Mabaruma (not for Khan Hill villagers) very close to their land. Residents stress that they all share a long lasting connection with their land.
- 14. Response from government:** When the LTA team visited, the CDC Chair had not heard from the Minister about his request to resolve the lack of land security of the community.
- 15. Land and resource conflicts:** At present, there are no outsiders extracting resources from Khan Hill's lands. To make way for regional plans to build a dumpsite, one resident was told to move or pay lease for the plot. The resident refused to move and the dumpsite had not started in 2014.
- 16. Land security:** Although some residents don't realise that their land tenure is not legally recognised in any way, the community authorities and some residents are becoming more aware that their tenure and control over the land is extremely shaky as highlighted by the case of the dumpsite (see 15 above).
- 17. Livelihoods and environment:** Residents say that land is still good for farming especially for permanent fruit trees and that the forest and wetlands are still healthy and bountiful for hunting, fishing and gathering. One key concern is getting timber for house construction, which they fear has been restricted by the GFC. However, the former MoAA verbally reassured them that they can extract timber for their own use without any restrictions. A spring provides clean drinking water all year round. People know that they cannot take this for granted, as they don't have legal rights to their land.
- 18. Recognition and measures sought:** No information obtained.



Key findings:

- **Imbotero does not have a land title.**
- Some individuals hold land in leasehold.
- Residents have little information about a communal land title and the application procedures.
- Residents continue to farm, hunt, fish and gather forest materials although more people now depend on shop-bought food.
- GFC is stopping residents from freely taking timber for subsistence purposes on their untitled customary lands, and requires them to get permission beforehand.
- Outsiders often settle in the village without the existing residents agreeing beforehand.
- The community is planning village discussions about applying for a collective land title.
- Imbotero is not in the Amerindian Land Titling (ALT) work plan.

1. **Location:** International boundary with Venezuela, Mabaruma sub-region, Region 1.
2. **History:** Archaeological evidence for longterm Amerindian use and occupation of the area consists of settlement sites in Imbotero's farming grounds that contain pottery and small clay animals. According to residents a former settlement is at Paradise Creek (tributary of the Imbotero Creek) while the present village was founded at least 100 years ago by families Cox, Paul, Frenze and Carter.
3. **Main neighbouring communities:** Smith Creek and Morowanna on the Barima River.
4. **Estimated population:** 250-300 people (30 households) (2014).
5. **Identities of residents:** Arawak, Carib and Warrau.
6. **Local government:** Community Development Council (CDC) with a Chairman and several councillors.
7. **Land use and economy:** Although some residents have to buy food from Komaka, many still depend on subsistence farming for their livelihoods. The main crops include cassava, corn, pineapple, coconut, plantain and sweet potato. Traditional foods include cassava bread, pepperpot and *paiwari*. Most residents farm along the Imbotero Creek, but this land has to be irrigated from the creek which can get salty during the dry season. The main hunting and fishing grounds include the creeks and tributaries of the Imbotero (e.g. Paradise Creek) and tributaries on the left bank of the Barima River in Venezuela (Anaquaida, Line and Wakahana Creeks). They also catch crabs on Shell Beach and Imbotero Creek. Craft materials are gathered from the Venezuelan side of the Barima River (mainly *tibisiri*) as well as Hanaquina Creek and Motosami Creek; while manicole 'palm cabbage' is taken from Line Creek or Paradise Creek and sold commercially. Bird trapping is common in all these areas.
8. **Community projects:** No information obtained.

- 9. Institutions and services:** Imbotero has a primary school, but no nursery facilities. Older students go to North West Secondary School. The public hospital at Mabaruma provides health services.
- 10. Current land title status:** **No title.**
- 11. Status of application for title:** At present, there is no application for title. In the village few people know about a communal land title and what is needed to apply for one. Some individuals have paid for individual leasehold land in the past, but don't make payments any more. They have been awarded 'transport' (a legal document issued by Guyana Lands and Survey Commission showing ownership of a plot of land).
- 12. Proposed title description:** N/A
- 13. Proposed title justification:** Up to now the village has not had outsiders take their resources, or had serious restrictions placed on their own resource use. As a result, many residents were unaware that they didn't have legal rights to their land, and did not see the need to get legal protection. More recently residents realise that they cannot stop outsiders settling on their village lands and are also worried about GFC becoming stricter about controlling their use of forest resources (see 15 below). So the community authorities are now looking into applying for a communal land title.
- 14. Response from government:** N/A
- 15. Land and resource conflicts:** At the moment there is no large-scale extraction or concessions on community lands. But villagers are worried about the number of outsiders who come and settle in Imbotero, even if only for a short time, but without asking permission. Their main worry is that in June 2014 a representative of GFC told the community that they are not allowed to cut any wood without GFC's permission, including the timber they need to build their houses. GFC warned that if this rule is broken, their chainsaws will be seized and they will end up in jail and be fined. Residents complained formally to the former Ministry of Amerindian Affairs, but to date have received no reply. Residents also say that Venezuelan border guards stop them when they try to collect craft materials from forest land that they consider is theirs on the Venezuelan side of the border.
- 16. Land security:** Apart from individual problems with specific leaseholds, residents are generally not worried about their land security right now. But growing pressure from settlers and increasing restrictions imposed by GFC are making residents start to feel insecure for the future. For this reason, community discussions on a collective land title are now underway (see 13 above).
- 17. Livelihoods and environment:** Residents report that they can't freely get timber for building their homes, as they have to get permission from GFC to cut any timber on their untitled customary lands. The land along the Imbotero Creek is more or less enough for farming, but needs irrigating in the dry season and the community has asked the government for help with this. These problems mean that many residents decide to buy food in Kumaka and Mabaruma. Residents say game and fish stocks are good though palm cabbage is getting scarce through harvesting over many years. Water is collected in rainwater tanks and, during the dry season, residents travel by boat to the head of Line Creek to collect fresh water for drinking, washing and bathing. Water is also fetched from a small pond up the Imbotero Creek.
- 18. Recognition and measures sought:**
- a. Residents want the GFC and MIPA to explain and confirm as soon as possible that residents using timber for personal reasons such as home construction will not be stopped by GFC or asked for permits.
 - b. Residents would like the government help them find a market for local produce including *nibbi* craft work, chairs, hammocks, wood carving and crabs.

Key findings:

- Hotoquai has a land title, but it excludes key customary lands.
- Homesteads, farms, hunting and fishing grounds all lie outside the original title boundaries (as granted in 1976).
- Demarcation was forced through by the former government despite opposition from residents because the title did not meet their fishing and hunting needs.
- Some residents and homesteads were excluded from village lands due to titling and demarcation, causing conflicts within the Village.
- The government is processing the Village extension application.
- In 2015 the government agreed to move two logging concessions out of Hotoquai's proposed extension area.
- The title extension work is included in Amerindian Land Titling (ALT) work programme.

1. **Location:** Aruka River, Mabaruma sub-region, Region 1.
2. **History:** Shell mounds at Quaimacoro (a tributary of the Mabuina Creek, called Maboni in the ALC report and Mabuni by Hobobeia residents) and remains of an ancient settlement at Wanakai Creek show that Amerindians have lived in the area for a very long time. Ancient clay pots and rock carvings are often found e.g. at Bamboo Landing and in the Wanakai Creek area and head. Former settlements include Bamboo Landing (Mabuina Creek) from where people relocated because of an epidemic. Founding families of the present village site include Daniels, Pedro, Benjamin and Roberts.
3. **Main neighbouring communities:** Hobodeia, Yarakita and Lower Aruka.
4. **Estimated population:** 500 (120 households) (2013).
5. **Identities of residents:** Warrau, Arawak and Carib.
6. **Local government:** A Village Council with a Toshao and nine councillors.
7. **Land use and economy:** All residents carry out subsistence farming. Crops include bitter and sweet cassava cultivation, ground provisions, tomato, ginger, sweet potatoes, pumpkin and vegetable greens. Residents also make traditional drinks and foods including *paiwari*, *cassiree*, *belteri*, cassava bread and *cadacura*. The people live in three settlements. The biggest is on the right bank of the Aruau River (within title) and there are homesteads on both banks of the Wanakai Creek (both inside and outside of the title area) and a single homestead on the right bank of the Aruka River (outside the title). The main farming grounds are around Wanakai Creek, Bakereihana Creek and Hanouteia Creek, and in Hotoquai's backlands. Important hunting grounds lie along Bakereihana Creek, Hoibi Creek (within land title) and on Mabuina Creek (outside the title) that is also used for fishing. The main fishing grounds include the Aruau and Aruka Creeks that form the boundary with Hobodia Village. The main gathering grounds for craft materials and bush medicines include forests around Quara Creek (outside title) and Mabuina Creek.
8. **Community projects:** None discussed.

9. **Institutions and services:** The Village has a nursery school and a primary school. Those able to go to secondary school, and where accommodation is available, attend Hosororo Primary tops or Northwest Secondary. The Village has a community health post staffed by a community health worker.
10. **Current land title status:** A land title was granted under the Schedule of the 1976 Amerindian Act and title documents were issued under the State Lands Act in 1991.
11. **Existing title description:** “The area commencing at the mouth of the Wanakai River, right bank Aruau River, left bank Aruka River, thence up the Wanakai River to its source, thence east to the mouth of the Bakeirakana Creek, left bank Aruka River, thence down the Aruka River to the mouth of the Aruau River; thence up the Aruau River to the point of commencement.”¹¹⁸
12. **Title suitability: Inadequate.** Most ancestral lands used for hunting, gathering, fishing and farming are outside the title (including the Mabuina and the Wanakai Creeks). All former settlements in the Mabuina River and the Wanakai area, and homesteads on the right bank of the Aruka River also lie outside the title including even the Toshao’s home. The recommendations of their foreparents who gave information to the American Lands Commission included these areas and extended them to the Barima River.¹¹⁹ At the time of demarcation, the Toshao objected to fishing and hunting grounds being left out, but he reluctantly accepted the demarcated boundary apparently after seeing that it was consistent with the original flawed title description from 1976.
13. **Title demarcation:** Conducted in January 2000 and complete. Resident Henry Roberts was involved in cutting survey lines.
14. **Demarcation suitability: Flawed.** The demarcation has reinforced the original inadequate land title boundary of the Village that created divisions between the homesteads that are inside and those that are outside the titled area. There are conflicts about who can vote at village elections as well as rights of access to village resources such as solar panels. Place names on the demarcation survey map are spelled incorrectly.
15. **Extension status:** The Village filed for extension in 2007 and an Amerindian Land Titling (ALT) project team (including members from MIPA, GFC and GGMC) visited the Village in October 2015. The villagers were first told that a logging concession, given out in 2003 before Hotoquai’s extension application, lay within the proposed extension area, which was not allowed. After



118 Schedule to 1976 Amerindian Act

119 “On the North by Warakabaima Creek; R.B. Arawau River; on the south by left bank Aruka River; on the East by Left Bank Barima River; on the West by Botaquai Creek, left bank Aruka River, North West District” *Report by the Amerindian Lands Commission* (1969) Georgetown, Guyana at 138

general discussion and intervention from MIPA, it was agreed that the concession and another logging concession in Wanakai Creek will both be moved, giving Hotoquai the full extension area it requested. This overturned a Community Development Officer's statement at a Village General Meeting (VGM) in November 2013 that this extension area could not be 'granted' because the second concession was already there. The Village Council and residents are satisfied with this outcome and insist that the government must honour its promise. In October 2015, the Village was waiting to receive its extension map and certificate. The visiting ALT team told the community that GFC had promised that the second concession will be removed.

- 16. Extension description:** The proposed extension includes the left bank of the Wanakai Creek, the watershed of the Mabuina River and the left bank of the Mehokobuina Creek: "...from the mouth of Mehokobuina River up to its source, thence to the source of the Maboni River, thence in a straight line to the Bakerahanna mouth, left bank Aruka River, thence in a straight line to the Yurukaikuru Creek, thence down the Yurukaikuru Creek to its mouth, thence down the Aruau River to its mouth, thence down the right bank of Aruka River to the point of commencement."
- 17. Extension justification:** Traditional farm lands, fishing, hunting and gathering grounds, homesteads and the houses of some residents were left out of the land title. The boundary of the requested extension area was agreed after several VGM's and a process that involved all the satellite settlements.
- 18. Land and resource conflicts:** Possible conflicts with longing concessions on Hotoquai's title extension area will be resolved by removing the concessions (see 15 above).
- 19. Land security:** Before learning that their extension application is apparently being dealt with as the Village wanted, residents were getting anxious that GFC would increase restrictions on their use of forest (including timber) if they didn't have secure title over their customary lands. The importance of secure title has become clear to residents from the experience of a neighbouring CDC community (Sacred Heart) where GFC seized the lumber that Sacred Heart residents had felled for construction of a school bridge.
- 20. Livelihoods and environment:** Villagers say that game and fish are not as plentiful as before. Soils are good for farming at present, but Hotoquai is a farming community and its population is increasing rapidly so pressure is growing on farmlands. Villagers can still get plenty of craft materials and bush fruits from the forest and wetlands, although wood for boat building is becoming scarce. Meanwhile, there is clean spring water from the hills for drinking, even in the dry season.
- 21. Recognition and measures sought:**
 - a. Residents ask the government to recognise their traditional lands and honour promises made to move logging concessions.
 - b. They urge their Village Council to support the extension application with maps and any other information needed to obtain the agreed extension area.

Key findings:

- Hobodia has a land title, but a very large part of its customary lands are excluded.
- Homesteads, settlements, schools and village offices, farmlands, hunting and fishing grounds all lie outside the existing title boundaries.
- Former governments ignored recommendations made in the 1969 ALC report to title Hobodia lands.
- The former government pressured village authorities into accepting a flawed land title.
- Hobodia's 2006 application for title extension remains unresolved.
- Lumber companies have been granted rights to the untitled customary lands of Hobodia Village.
- Lumber companies have harassed residents for using their forest resources and restricted them from using forest areas outside their titled lands.
- Extension work is included in the Amerindian Land Titling (ALT) work programme.

1. **Location:** Aruka River, Mabaruma sub-region, Region 1.
2. **History:** Shell mounds at Quaimaicoro (a tributary of the Mabuni Creek) and an ancient Amerindian settlement at Mora Landing point to ancient occupation of the area by indigenous peoples. Ancient clay pots and rock carvings are found in many places, including at Bamboo Landing and at the current site of Hobodia Village. Former settlement sites are at Pear Landing and Mabuni in the Aruka head. Founding families of the present-day village include Antonio, Hudson, Torres, Moses, Francis, Daniels and Thompson.
3. **Main neighbouring communities:** Hotoquai, Yarakita and Sebai.
4. **Estimated population:** 405 (73 households) (2013).
5. **Identities of residents:** Warrau, Arawak and Carib (minority).
6. **Local government:** A Village Council composed of a Toshao, Vice -Toshao and five councillors each with their own responsibility (health and education, culture and sport, treasurer, forestry and secretary).
7. **Land use and economy:** All residents are subsistence farmers. The main crops are bitter and sweet cassava and other ground provisions, including coffee, sugar cane, ginger and vegetable greens as well as many fruits including mango, citrus, sapodilla, soursop, coconut, banana and golden apple. Residents produce traditional drinks from golden apple and wild grape including *paiwari*. People live in three settlements, the largest being the Hobodia settlement on both banks of the Aruka River. Mora Landing (both banks Aruka River) and Sawaricoro (right bank Aruka River) are smaller settlements. The main hunting grounds of the Village lie on both banks of the Aruka River as far as Aruka Head including tributaries such as Sawari, Paiana, Hanaowtheia and Nahaina Creeks, as well as areas known as Big Island and White Rock. Some of these hunting areas are shared with neighbouring communities. Fishing grounds include Quara Creek and Morabaka Creek (also known as Paiana Creek), while others go as far as the Mabuni



Creek, Kaituma River and Sebai Creek, and are shared with neighbouring communities. The main gathering grounds for craft materials including *troolie*, *mucru*, *kufa* and *nibbi* are at Mabuni and Tohoquari Creeks. Residents travel to Tandani Creek to collect ité palm, and get wild fruits and *tibisiri* from Nahaina Creek.

8. **Community projects:** None discussed.
9. **Institutions and services:** The Village has nursery facilities and a primary school (76 students in 2013). Secondary school students attend Hosororo Primary top, Northwest Secondary or Kaituma Secondary School. The Village has a community health post staffed by a community health worker.
10. **Current land title status:** The land title was granted in 1976 under the 1976 Amerindian Act and reissued in 1991 under the State Lands Act.
11. **Existing title description:** "The area commencing at the mouth of Bakereikana Creek, left bank Aruka River thence west for approximately 3 miles to the source of the Wanakai River, right bank Aruau River; thence south and east around the headwaters of the Hatabuina Creek and all its tributaries to the source of Wanaina Creek, left bank Aruka River, thence down the Wanaina Creek to its mouth, thence down the Aruka River to the point of commencement."¹²⁰
12. **Title suitability: Inadequate.** Most of the population lives outside the title boundary on the right bank of the Aruka River at Hobodia, Mora Landing and Sawaricoro. Here are also the main village services, including schools, the health centre, a playground and the Village Council office. Key farmlands, hunting, fishing and gathering grounds on the right bank of the Aruka River and in the Aruka head are outside the existing title boundary. Much of these lands on the left and right banks of Aruka River have been given as logging concessions.
13. **Title demarcation:** Conducted in 2005 and complete. A certificate of demarcation was provided. However, the Village has never received a demarcation map despite requesting this.
14. **Demarcation suitability:** Villagers are not happy with their existing land title and consider that demarcation has only served to justify an inadequate title area. The first time the surveyors came to the Village to carry out demarcation, the then Toshao (Edgar Antonio) objected to

¹²⁰ Schedule to 1976 Amerindian Act. In 2015 and 2016 APA repeatedly asked MIPA and GLSC for a copy of the 1991 title document, but they did not provide it.

demarcation due to the limited Village title area as described in the 1976 Amerindian Act. The Toshao insisted that the lands should be titled and demarcated as villagers had recommended to the Amerindian Lands Commission (ALC) i.e. communal land title for both banks of the Aruka River although the commissioners had dismissed this as 'excessive and residents cannot beneficially occupy and administer it.'¹²¹ The surveyors returned to Georgetown and made a report to the Minister of Amerindian Affairs who then wrote to the community urging them to accept demarcation according to the original title description and apply later for extension. The Village General Meeting (VGM) discussed this, and most villagers agreed to accept the Minister's proposal. The Toshao at the time refused to attend any more meetings on the subject and he did not take part in the demarcation exercise.

- 15. Extension status: Filed but unresolved.** In August 2006 the Village filed an application for extension after several VGMs had discussed and agreed the land extension request.
- 16. Extension description:** The proposed extension area submitted in 2006 is based on the area requested by the Village in the 1960s in evidence submitted to the ALC. It covers the tract of land "From the mouth of Maboni [Mabuni] Creek to the extreme source of the Aruka River, on both banks including all tributaries." The wording of the 2006 extension application is as follows: "From the mouth of the Honoha Creek up the right bank of the Aruka River to the mouth of Quara Creek, thence to the mouth of the Nahaina Creek, thence up to the head waters of the Nahaina Creek, thence northwards to the Coyonaicoro Creek, north to the head waters of the Honoha Creek, thence downwards to the point of commencement."
- 17. Extension justification:** Key farm lands, fishing, hunting and gathering grounds, homesteads and the most of the houses are all outside of the title, as well as the main public buildings including the school. Much of these untitled customary lands have now been formally registered as logging concessions, restricting residents' access and use of their farming, hunting and gathering grounds.
- 18. Response from government:** The former MoAA informed the Village Council in a letter dated 25th October 2010 that they must reapply for their extension following the rules of the 2006 Amerindian Act, as they applied before this law was enacted. The Village Council sent the Minister a follow-up letter in 2010 reaffirming the extension application but the former MoAA did not respond. The Village later learned indirectly (via APA) that extension work for the Village was included in the ALT work programme in 2013.¹²²
- 19. Land and resource conflicts:** Three logging concessions overlap the customary lands included in Hobodia's extension application. These concessions were issued after Hobodia's 1976 title was issued, but residents were never consulted about this original land title. One of the concession holders told Hobodia residents using his concession that he was lobbying the regional government to remove them from his concession. The logging road built by the same logger goes as far as Mora Landing where the Dass family currently lives. Residents complained that this road directly affected them and their freedom of movement, including children's play areas. The Village complained verbally to GFC and MoAA while the APA also complained on their behalf at a Regional Toshao Council meeting on the basis that the area was a proposed title extension. The latter concession was relocated in 2012, but only to another area within Hobodia's traditional lands (to the west of the title boundary). As logging has not started, residents have not yet reported any problems there. But residents are unhappy that the concession is still on their customary land.

Residents complain that the heavy logging equipment drives animals away, breaks the bridges spanning small creeks, destroys important craft and construction materials and restricts residents' own resource use. One case involved the Dass family who were using *kabakali* timber to build their home at Mora Landing. The loggers, however, were cutting some of these trees

121 Report by the Amerindian Lands Commission (1969) Georgetown, Guyana at 139

122 UNDP (2013) Amerindian Land Titling Project Project Document, UNDP, Georgetown <http://www.gy.undp.org/content/dam/guyana/docs/ALT%20combined%2018%20October%202013.pdf>

right at the edge of their farm, trees that the residents had kept on purpose to provide a supply of accessible timber for family use. Until this concession was moved away in 2012 (see above), the commercial logger and concession holder harassed the Dass family, insisting that this was 'his area' and the Dass family had no rights. Residents explain that even when they go to hunt, loggers harass them as the concession owners think they are scouting out trees for felling. Villagers say that forest resources on their customary lands are rightfully theirs and they intend to manage the forest for the long-term benefit of their people, rather than letting it be cut down for the benefit of private companies.

20. Land security: Although the Village has a land title, much of their farmlands, hunting and gathering grounds are outside the boundaries and within forestry concessions. Residents point out that without secure access to these resources their livelihoods are under threat. They are particularly concerned that farmland within their titled lands will soon be in short supply.

Land and water are our life, without them our livelihood will be insecure. [Resident, Hobodia Village, 2013]

21. Livelihoods and environment: Residents observe that the soil is still good enough for farming although there is not much farmland within the land title. The water remains good to drink; in the dry season they use water from the Aruka Creek and rely on rainwater or water from smaller tributaries during the wet season. They note that fish stocks have gone down, and heavy logging machinery (tractors, chainsaws and skidders) has scared off much of the game. Commercial timber species in Hobodia's customary lands and in the extension areas are being overharvested.

22. Recognition and measures sought:

- a. Residents insist that the government must deal with their extension application quickly, and give them a title that fully recognises their rights to these customary lands and cancel the overlapping logging concessions.
- b. They also see this as a problem for many Amerindian villages in Guyana and stress that the legal recognition of collective Amerindian lands must take come before the recognition of privately held lands and leaseholds.



Key findings:

- Kamwatta has a land title, but it excludes key areas of the Village's traditional lands.
- Areas outside the title include homesteads, farms, hunting and fishing grounds in areas around 'road 9 and 10', the Otokamabo and Morekamu Creeks and the Koriabo mouth.
- Residents are suffering from shortages of timber, fish, game and suitable farming lands as these have been used up in their titled lands. The area of sand providing residents' main source of income lies outside the title.
- Villagers think that they are unable to apply for an extension as surrounding lands are already occupied by, or registered to, outsiders.
- Part of the Village's untitled traditional lands is now allocated to the Agri-Solutions Technologies (AST) Inc palm oil concession and to a forest concession.
- Outsiders' claims to hold agricultural leases inside the land title are disputed by the Village and are causing conflict with residents. The government has so far failed to explain and resolve the situation.
- Kamwatta is not included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Aruka River, Mabaruma sub-region, Region 1.
2. **History:** Shell mounds at Akawaibi show the ancient occupation of the area by indigenous peoples. Former settlements include those at Kamwatta Landing and at the mouth of the Koriabo River. The latter site is outside the boundary of the land title. Founding families of the present day Village, which residents say was occupied since the 19th century, include Henry, Hernandez, Harry, Fredericks and La Rose.
3. **Main neighbouring communities:** Arukamai, Wauna (housing scheme) and Whitewater.
4. **Estimated population:** 286 (54 households) (2013).
5. **Identities of residents:** Warrau, Arawak, and some mixed ethnicity.
6. **Local government:** A Village Council with a Toshao and seven councillors (5 councillors active in 2013).
7. **Land use and economy:** Most residents depend on subsistence and small-scale farming and some cash cropping for their livelihood. As well as bitter and sweet cassava and other ground provisions, Kamwatta farmers produce ginger, sweet potatoes, red beans, peanuts and citrus fruits, and they do some small-scale poultry rearing. Traditional drinks and foods include *paiwari*, *belteri*, cassava bread and *cadapura* with fish or meat. In the titled lands, farming grounds are at Central Kamwatta, but many residents farm in the Road 10 area (outside the title) and in the Maura area on the disputed boundary between Kamwatta and Arukamai. The main hunting, fishing and gathering grounds are at Otokomabo, Morekamu (southern boundary of the land title) and Koriabo mouth, all of which are outside the title boundaries. Forestry resources are scarce and the main income comes from digging white sand at the 'sand pit' area on the Yarakita Road.

8. Community projects: The Village would like to use its sand pit as a communal resource to generate income, but it lies outside their title and is claimed by outsiders (see 19).

9. Institutions and services: The Village has a nursery and a primary school. Most secondary school students travel daily to Wauna Secondary or Hosororo Primary tops and some are boarders at Northwest Secondary. There is a community health post staffed by one community health worker.

10. Current land title status: The title was granted on the 20st February 2006 under section 3 of the State Lands Act. This title replaced an earlier title granted under the 1976 Amerindian Act.¹²³

11. Existing title description: "The tract commences at the mouth of Wauna Creek, left bank Aruka River, left bank Koriabo River. Its boundaries extends thence 1.1 miles up the left bank Koriabo River to the North Easterly corner of Parcel No. 1, Land Registration Block No. 112117, zone 112, being a portion of the former grant number 7764, thence N 254° 54'07" Tr. 1996.12 feet, thence N 334° 53' 42" Tr. 728.42 feet, thence N 293° 13' 38" Tr. 475.43 feet, thence N 254° 54' 07" Tr. 7828.00 feet. Thence N 234° 24' 48" Tr. 154.96 feet, thence N 213° 37' 47" Tr. 784.00 feet, thence N 177° 51' 49" Tr. 308.40 feet, thence N 132° 51' 49" Tr. 400.00 feet, thence N 116° 50' 37" Tr. 1000.00 feet, thence N 74° 54' 13" Tr. 10386.01 feet to the Koriabo River thence up the left bank Koriabo River for approximately 1 mile to the mouth of Mauru River, thence up the left bank Mauru River to its source at the point on the southern boundary of the Wauna/Yarakita Oil Palm Project, thence along the said back boundary as shown on GL&SC Plan No. 31653 by K.A. Chapman SLS dated 2001-07-20 at a bearing of N 102° 30' 00" Tr. For 2725.00 feet, thence N 354° 00' 00" Tr. 7825.00 feet, thence N 354° 00' 00" Tr. 7825.00 feet, thence N 43° 30' 00" Tr. 9325.00 feet, thence 248° 51' 00" Tr. 233.71 feet, thence N 284° 00' 00" Tr. 111.00 feet N278° 00' 00" Tr. 117.00 feet to a point of the Wauna/Yarakita Road, thence 237 miles along the Wauna/Yarakita Road to its intersection with the Wauna River, thence down the Wauna River to the point of commencement. Save and except all privately owned lands legally held."

12. Title suitability: Inadequate. The existing title excludes homesteads (up to nine families in the 'Road 9' area), traditional farmlands (Road 10 area), hunting, gathering and fishing grounds at Otokomabo, Morekamu and Koriabo mouth, as well as the Sandpit area on the Wauna-Yarakita Road. Residents observe that there is already not enough good farming land within their title.



123 The first title under the 1976 Amerindian Act was to a much smaller area of land around the watershed of the Kamwatta Creek. The area was expanded in another title description in 1991, which differs from the one in the 1976 Schedule. The earlier title description possibly derives from the 1969 ALC report, which stated that Kamwatta requested "an area of approximately 500 acres in the region of Kamwatta Hill and Mauru Creek." Given that this area did not include homesteads, farming grounds and other customary lands, and that residents may not have fully understood the meaning of 500 acres, it is doubtful that the recorded request is an accurate picture of what Kamwatta residents considered as their customary lands in the 1960s.

- 13. Title demarcation:** Conducted in three phases that were completed in 2008. Some residents including the Toshao as well as residents of Arukamai and its Toshao were involved at times. The demarcation also involved a meeting between Kamwatta authorities, the Toshao of Arukamai and the MoAA to discuss land at Haymara Creek and Mauro, on the boundary between the two Villages, where Kamwatta residents have farmed for many years.
- 14. Demarcation suitability: Flawed.** Villagers say the demarcated boundary included some land held legally by Arukamai. Arukamai, Kamwatta and the MoAA discussed this (see 13) and Arukamai has now agreed that Kamwatta residents can continue to farm there. They don't want any problems. This area of land now is part of the proposed extension of Kamwatta. As far as Kamwatta residents know, the rest of the demarcated boundary broadly follows the title description, although residents know the unnamed creek as Haymara Creek.
- 15. Extension status:** The village authorities have not filed an application for extension as they feel they *"are boxed in by several situations"* and have nowhere they can apply for as an extension that is not owned or occupied by others. These land interests include the AST concession, an oil palm concession on the western boundary, Arukamai Village in the south and Wauna housing scheme in the north.
- 16. Extension description:** N/A
- 17. Extension justification:** Residents worry about their future given that existing farming lands within the title are already scarce and there are hardly any forest resources left. Also, most hunting, fishing and gathering grounds and the sand pit, which is an important source of income, are outside the title.
- 18. Response from government:** N/A
- 19. Land and resource conflicts:** There is ongoing conflict along the Wauna-Yarakita road within Kamwatta's title where non-resident outsiders claim they leased lands for agricultural use before the title was granted, even though these areas were uncultivated and so should have been cancelled according to lease laws.¹²⁴ Kamwatta raised this issue many times with GLSC Mabaruma and at sub-regional Toshao conference at Kumaka (Mabaruma) on 8th October 2013, without reaching a resolution. Village authorities also asked GLSC officials to explain, but they did not provide any information. Meanwhile, some residents were stopped from cutting lumber by some of the people claiming to hold leases, who are all non-residents living in Georgetown. As these areas have never been farmed, the 'leaseholders' are no doubt keeping the lands for potential lumbering. Residents are upset and indignant that the government has allowed this situation to continue for many years without resolution. Villagers insist that their land title must be free from other landowners or leaseholders. A resident of Wauna claims to own the sandpit that lies on Kamwatta traditional lands and is used by residents for building. The resident uses sand from the pit himself, but investigations by the Village show that the sand pit is apparently neither owned by the resident nor by anybody else.
- 20. Land security:** Residents are already finding that timber, water, fish, game and construction materials are becoming scarce. They feel frustrated that they have nowhere to apply for an extension as their traditional lands have been given to outsiders on all sides. They face a very uncertain future and many of the younger generation are no longer interested in farming. The possibility that even their own titled lands may be held under agricultural leases by outsiders makes them feel even more insecure.
- 21. Livelihoods and environment:** Outsiders have already logged out commercial timber species in and around the Kamwatta community. Game animals and birds are scarce, and logging in the State Forest Permit (SFP) of the Wauna Loggers Association is depleting their fishing and hunting grounds in the Morekamu area of their customary untitled lands. Residents say water quality and soil fertility are still good enough. But they have problems getting water during

¹²⁴ The survey team was unable to obtain official documentation on this lease.

the dry season particularly those who live in remote areas and can't reach hand-pumped wells. Meanwhile, residents feel strongly that village rights to the sandpit area in their traditional lands must be recognised, as this is the only natural resource left within their territory that could generate an income for the Village.

22. Recognition and measures sought:

- a. Villagers urge the government to clarify and, if necessary, cancel any leases held within their titled lands.
- b. They want the government to make sure Amerindian rights are recognised, and guarantee that First Peoples' land rights are protected before dealing with the land claims of other groups.
- c. The government should recognise village rights over the sandpit area.
- d. The villagers want the government to cancel licenses and concessions granted on their customary lands without their consent, including the Wauna SFP and the AST palm oil concession.
- e. They also want government maps to identify Amerindian customary lands (including untitled lands) to make sure that land rights are respected when handing out concessions to third parties.



Key findings:

- **Blackwater Savannah does not have a land title.**
- The village filed a land title application in 2011, but so far has heard nothing.
- A Barama logging concession, established without consulting the village, overlapped the proposed title area but has since expired.
- Residents feel insecure and are worried that they may be forced to relocate.
- The community calls on the government to process its application for communal land title, and remove overlaps with logging concessions.
- Blackwater Savannah is not included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Barima River, Mabaruma sub-region, Region 1.
2. **History:** Shell mounds at the mouth of the Annabisi Creek and clay jars found on Murucut Hill indicate ancient Amerindian settlement and occupation of the land. The current village site was founded in the 1900s. Founding families included Da Silva, Benjamin and Thomas.
3. **Main neighbouring communities:** Red Hill and Barima Koriabo.
4. **Estimated population:** 165 residents (19 households) (2014).
5. **Identities of residents:** Warrau, Carib and Arawak.
6. **Local government:** Community Development Council (CDC) consisting of a Chairman, Secretary, Treasurer and seven councillors.
7. **Land use and economy:** Most residents live at the main settlement of Blackwater Savannah. A smaller group lives further west at Anita Hill. Residents depend on small-scale subsistence farming for their livelihoods. The main crops include cassava, eddoe, yam, pumpkin, cucumber, pineapple, watermelon, sweet potatoes, *bora*, sugar cane and plantain. Most residents farm on the hills surrounding the savannah at Blackwater Savannah including at Yarola, Arrow Place, Savannah and Mora Island as well as on Anita Hill. Main hunting grounds are at White Creek, Annabisi Creek, Tiger Hill, Blackwater Creek head, Murucut Bay Hill, Four Miles backdam, Haimaracuru Creek and Wallaba Hill. Principal fishing creeks include Big and Small Blackwater Creeks, Annabisi Creek and the Barima and Koriabo Rivers. Collecting forest materials is important for local livelihoods, including *nibbi* and *mucru* for craftwork, logs for house building and *kabakabali* wood for construction of hollow-trunk canoes. The swamps near the village are a rich gathering ground for *troolie* leaves used for roofing thatch.
8. **Community projects:** No information obtained.
9. **Institutions and services:** Blackwater Savannah children attend St Ninia's Primary School, an annex to Red Hill Primary. Students attend secondary school either at North West Secondary School or at Kaituma. There is no health hut.
10. **Current land title status:** **No title held.**



- 11. Status of application for title:** The village filed an application for communal title on 5th August 2011, but they are still waiting for title. This survey found that meanwhile villagers had started applying for individual leases of land. This trend may be due to encouragement by the regional administration, which other communities in the Mabaruma sub-region have also reported (see, for example, 5.1.16).
- 12. Proposed title description:** No information obtained.
- 13. Proposed title justification:** The community currently has no legal protection for their lands.
- 14. Response from government:** The village received a letter on 20th February 2012 from the former MoAA saying that the application will be dealt with on a 'first come first serve basis'. Villagers said they were very upset when they received the response; it felt like being told that they were not recognised as people.
- 15. Land and resource conflicts:** The Barama Company had a logging concession over the entire area proposed by the village for title. No consultation was conducted before the concession was formally registered. Nevertheless, residents did not file a complaint. This part of the concession was worked several years ago. At the time of this investigation in 2015 the company was not logging the area and some younger residents didn't realise that the community was inside the concession area. By November 2016 the concession had expired and the government had not renewed it. Some community members use an area along the right bank of Barima River for farming, gathering *nibbi* and cutting timber. But the area apparently falls under the forestry concession of Forest Enterprise. The village did not include this area in its proposed title because of this logging concession. There is some mining in the area and residents say they can even hear the sounds of machinery, but so far their own lands and resources are not affected.
- 16. Land security:** Residents are worried that their lands are not legally recognised and anxious that they might be forced to move, knowing that they live inside a logging concession.
- 17. Livelihoods and environment:** Residents say that the land is very good for farming and the forest and wetlands are still healthy and bountiful for hunting, fishing and gathering, although commercial bird trapping has depleted bird populations. Clean drinking water is collected in rainwater tanks while groundwater is tapped with standpipes.
- 18. Recognition and measures sought:**
 - a. Residents insist that the government must respond to their application for communal land title quickly to avoid the risk of logging concessions like Barama's being imposed again.

Key findings:

- Sebai has a land title but villagers consider the title area is not big enough as it excludes important customary lands, including essential farming grounds.
- Lack of legal protection for customary tenure has resulted in the formal registration of Sebai lands as forest concessions.
- Errors in the demarcation have allowed loggers to enter Sebai titled lands.
- Residents call on the government to correct demarcation errors and give legal title to lands on the left bank Sebai River and right bank Yakarakat Creek as part of a title extension area.
- The Village is not included in the Amerindian Land Titling (ALT) work programme.

1. **Location:** Sebai and Yakarakat watersheds, Matarkai sub-region, Region 1.
2. **History:** Before Sebai Mission was founded in the 1950s, the area currently occupied by the Village and the Sebai watershed were settled and used by several families, including Domingo, James and Williams. Amerindians occupied the Sebai valley from pre-colonial times as shown by remains of clay pottery commonly found on the right bank of the Sebai River. The Warrau people's long-term occupation of the land and wetlands is also shown by river names in the Warrau language (e.g. Hanaida Creek, left bank Sebai) that refer to ancestors of villagers and former inhabitants of the area (e.g. Clady Creek on right bank Yakarakat).
3. **Main neighbouring communities:** Canal Bank, Citrus Grove and Hobodia.
4. **Estimated population:** 485 (66 households) (2014).
5. **Identities of residents:** Warrau.
6. **Local government:** A Village Council, which only had two members in 2014 (Toshao and Vice-Toshao). Other elected councillors at the time had resigned because of reported mismanagement of community funds.
7. **Land use and economy:** Villagers cut lumber, fish, farm and gather on titled and untitled customary lands. Several residents farm on traditional lands on the left bank of the Sebai River outside the titled land. This is an important place as it is close to the village centre and is also used for hunting, fishing, craft materials and lumbering. Longer hunting and fishing trips take place in the headwaters of Sebai and Yakarakat Creeks (outside the title).
8. **Community projects:** No community projects recorded. Some residents have decided to build their own water wells and plant red cedar in their farms.
9. **Institutions and services:** Sebai has a primary school and one health post staffed by a community health worker. Students attend secondary school at Port Kaituma.
10. **Current land title status:** Title held. The land title was granted under the 1976 Amerindian Act and a title document was received in 1991 under the State Lands Act.

- 11. Existing title description:** “The area commencing at the mouth of the Migator River, right bank Sebai River, left bank Kaituma River, thence up the Migator River to its source, thence north to the source of the Sebai River, thence down the Sebai River to the point of commencement.”¹²⁵
- 12. Title suitability: Inadequate.** Farming, hunting and fishing grounds on left bank Sebai and right bank Yakarakat Rivers are outside the title making the Village, whose population is growing, feel insecure.
- 13. Title demarcation:** The demarcation is complete, but according to villagers it is flawed. Residents who were present during demarcation recall that a line was cut from the source of Yakarakat Creek to the Idobaka creek instead of the source of the Sebai River. Residents also say that there was no formal consultation with the Village and some people objected to the demarcation process because the title boundary description did not include their traditional lands. Guyana Lands and Survey officials dismissed the objections. In the end, residents felt under pressure to accept the demarcation fearing that they might be penalised by the former government if they questioned the survey.
- 14. Demarcation suitability: Inadequate.** Villagers consider that the demarcation has created insecurity and led to outsiders entering village lands. They feel that their land was taken away when the land was titled (both banks of the Sebai and Yakarakat Rivers) and again when it was demarcated (lost access to the headwaters of the Sebai River). Residents confirmed that the Ja Ling logging company moved onto village lands at the head of Idobaka Creek sometime before 2012, believing or choosing to believe this was the correct boundary line with Sebai title. Villagers observed that the logging concession risks contaminating the Sebai River, which provides water to the Village. Many residents feel that the demarcation has set in stone the flawed original boundary of the 1976 because officials didn’t legally recognise customary land that Sebai considers as rightfully theirs. They feel penned in and restricted from using the creeks on both banks of the Sebai River and Yakarakat Creek because the government and loggers continually tell them that these areas are outside the Village title boundary.
- 15. Extension status:** In 2006/7 some residents applied for an extension to cover both banks of the Sebai and Yakarakat Rivers. But villagers allege that the government convinced the village authorities at the time not to follow through with the application. No other extension application was made.
- 16. Extension justification:** Although residents have not applied again for extension, they feel insecure and hemmed in. They worry that in the near future there may not be enough food, because there is not enough land for farming and hunting within their title boundary.

We have always been hunting here, only recently we find out that it is not supposed to be ours. [Village resident, 2014]

- 17. Land and resource conflicts:** When this field survey was done (July 2014) there were no active land conflicts in Sebai but there are several overlapping concessions, which were a cause for concern. Several residents were worried about a potential dispute with Ja Ling forestry company that was cutting timber in the headwaters of Idobaka Creek (see 14 above). A former Toshao objected to this at a meeting with Ja Ling in Port Kaituma, but the Jai Lin manager dismissed his protests. Villagers farming on customary lands outside the land title boundary are uneasy because certain members of the Village authority have warned them to stop farming there. But Sebai farmers insist that they will carry on farming their untitled farming grounds no matter what happens, as they consider them to be rightfully theirs under customary law:

“...they could put me out but they would have to shoot me out.” [Village resident, 2014]

Another commercial logging concession on Hanaida Creek on the left bank Sebai also overlaps the farming grounds of several residents. This has not caused dispute with the logging company

125 Schedule to 1976 Amerindian Act. Migator Creek apparently refers to Yakarakat River (alligator in Warrau). Villagers believe that the name ‘Migator’ derives from a misunderstanding of the translation. At one point, the Village lost the original 1991 title deed, but were given a version of it in 2009. This survey did not see the 1991 title document.

so far, but it may cause open conflict in future. There are also mining claims on right bank Yakarakat Creek and upper tributaries (e.g. Rock Creek). These claims are not active so far, but villagers are aware that, if and when mining starts, it may affect them.

18. Land security: Sebai's traditional lands have been formally registered as forestry and mining concessions (see 17 above). Many residents have farmlands outside the title boundary, particularly on the Sebai River (left bank). These include three families who farm on Hanaida Creek and there are other farms on Sebai River (left bank) downstream from Blackwater Creek. Villagers ask why their own village authorities often do not question the stories spread by the government, namely that untitled land does not belong to Amerindians and that subsurface resources belong only to the State. Villagers are not fully free to take lumber and GFC has reportedly fined some residents for cutting lumber from outside the title on the left bank Sebai. Villagers are fearful of being restricted or fined by GFC. For now they continue to hunt, fish and farm outside the village boundary although they complain that in 2014 their Toshao told them they should only use resources within their title boundary: "*...we can't stop nobody, if they come to work and pollute the river then they will pollute the river, that is the law*". Residents question how their own leaders can make such comments.



19. Livelihoods and environment: There is very little timber left close to the Village, especially the most valuable types such as red cedar, purpleheart and greenheart. Villagers are worried that when planned mining concessions start on the Yakarakat Creek, the water will be polluted. Villagers say fish and game are still quite abundant, although they have to travel further away these days to fish and hunt. *Haimara* fish in particular, used to be plentiful but are now scarce. Land for farming is still available but villagers are worried that it will become scarce within the title area. Communal water pumps in Upper Sebai and Mid-way settlements are not working, but thankfully the pump in the mission is still working and some residents get water from here while others use creeks. A few residents have made their own wells that are working well.

20. Recognition and measures sought:

- a. Residents call on the government and relevant authorities to immediately correct errors in Sebai's demarcation on the Upper Sebai River and stop neighbouring forest concessions from entering village lands, whether due to demarcation errors or any other reason.
- b. They want the government to recognise and legally title Sebai's customary lands on the left bank Sebai River and right bank Yakarakat Creek as part of a title extension area.
- c. They also call on the government to prevent contamination of Sebai water sources from future mining operations.
- d. Residents urge the government to engage in good faith with Amerindian communities, showing long-term commitment to their well-being rather than just promising to address issues at each election to win votes.
- e. Residents recommend that its Village Council should explore options for jointly holding ownership rights over extension areas with neighbouring Villages of Hobodia and Hotoquai.

Key findings:

- Four Miles received its land title in 2015 but this survey has no information on whether residents are satisfied.
- There are frequent conflicts and disputes over land, which have got worse since immigration to the area has increased.
- Residents have limited or no access to forest resources for construction or timber.
- Past logging by Barama Company has seriously reduced local lumber and game animals.
- Unregulated mining of community lands without their consent has caused massive deforestation as well as severely contaminating water and destroying fish stocks.
- Four Miles is included in the Amerindian Land Titling (ALT) work programme.

1. **Location:** Area between right bank Kaituma River and surrounding tributaries and left bank Barima River, Matarkai sub-region, Region 1.
2. **History:** The Kaituma River was home to an Amerindian population (Carib and Warrau) before the area became more densely populated in the 1950s due to the extraction of manganese from the Matthews Ridge area (Pomeroy and African manganese company). Before Four Miles was formally founded in the 1960s some people lived in the area known as Quarry and some Amerindian people also lived in Aratabaka area. Founder families of Four Miles include Jupiter, George and Smythes who arrived in the 1960s from Matthews Ridge area after working for the Pomeroy company; some settled in Walabaka area before moving to Four Miles.
3. **Main neighbouring communities:** Citrus Grove, Oronoque and Canal Bank.
4. **Estimated population:** 762 (2014).
5. **Identities of residents:** Warrau, Carib, Arawak and mixed ethnicity.
6. **Local government:** Community Development Council consisting of a Chairman and several councillors.
7. **Land use and economy:** Residents carry out farming, hunting, fishing, trapping and gathering for subsistence purposes. Many people emphasised the importance of farming as well as earning money with the phrase: *'Money don't have second crop'*. Residents felt that although there is no shortage of suitable farming land this could change if more residents become commercial farmers. Most farmland is along the main road next to residents' houses or in the Jonestown area. The main crops include ground provisions and fruits as well as avocados and sugar apple. Many residents work in the mining industry as well as cutting lumber in the S1 and Sebai areas – the only areas not depleted by the Barama Company, which stopped logging around the year 2000. Residents hunt, fish and trap in Blackwater Creek, S1 and Sebai areas where fish and game are still plentiful. Trappers work mainly where there are abundant fruits such as Kokerite and Akuero. The Village is split into three main areas: Quarry, Four Miles and Sebai mouth. Sebai Mouth is outside the proposed title boundary and has one homestead. It is not known if all these areas are included in the 2015 title description.

- 8. Community projects:** Proposals include a nursery school to be run by the Village.
- 9. Institutions and services:** Nursery, primary school and secondary school located in Port Kaituma (Central Kaituma school).
- 10. Current land title status:** Land title was granted in 2015.
- 11. Existing title description:** TRACT 'A' - The area commences at a point on 500' buffer of Arakaka/Port Kaituma Road with UTM coordinates N850864, E169863, and its boundaries extend thence in a north-eastern direction along the said buffer to a point with UTM coordinates N851299, E170761, thence northerly to a point with UTM coordinates N851746, E170767, thence in the easterly direction to a point with UTM coordinates N852074, E172239, thence in a southerly direction to a point on 500' buffer of the Arakaka/Port Kaituma Road with UTM coordinates N851730, E172242, thence along the said buffer to a point on Jonestown Boundary with UTM coordinates N851652, E172374, thence in a north-eastern direction to the source of an unnamed tributary of Port Kaituma River, thence down the left bank of the said tributary to the mouth of the unnamed tributary on its right bank with UTM coordinates N854650, E177951, thence up the right bank of the said tributary to its source, thence in a southern direction to a point with UTM coordinates N853121, E179155, thence in a south-easterly direction to a wood paal J.A.B. for approximately ¼ mile with coordinates E178032, N852085, thence north-westerly to a wood paal J.A.B. for approximately ½ mile with UTM coordinates E177383, N853228, thence northerly to a paal J.A.B. for approximately ¼ mile with UTM coordinates E177499, N852512, thence in a northerly direction for approximately ¼ mile to a point on the Port Kaituma-Matthews Ridge Railway with coordinates E181802, N853773, thence in north-westerly direction for approximately ½ mile to source of an unnamed tributary on the left bank Kaituma River known as Kainima Creek with UTM coordinates E180819, N853863, thence up the said unnamed tributary [text missing in the copy...page turn] thence in an easterly direction to a point with UTM coordinates N852074, E172239, thence in a southerly direction to a point on 500' buffer of the Arakaka/Port Kaituma Road with UTM coordinates N851730, E172242, thence along the said buffer to a point on Jonestown Boundary with UTM coordinates N851652, E172374, thence in a north-eastern direction to the source of an unnamed tributary of Port Kaituma River, thence down the left bank of the said tributary to the mouth of the unnamed tributary on its right bank with UTM coordinates N854650, E177951, thence up the right bank of the said tributary to its source, thence in a southern direction to a point with UTM coordinates N853121, E179155, thence in a south-easterly direction to a wood paal J.A.B for approximately ¼ mile with coordinates E178032, N852085, thence north-westerly to a wood paal J.A.B. for approximately ½ mile with UTM coordinates E177383, N853228, thence northerly to a paal J.A.B. for approximately ¼ mile with UTM coordinates E177499, N852512, thence in a northerly direction for approximately ¼ mile to a point on the Port Kaituma-Mathews Ridge Railway with coordinates E181802, N853773, thence in north-westerly direction for approximately ½ mile to source of an unnamed tributary on the left bank of the Kaituma River known as Kainima Creek with UTM coordinates E180819, N853863, thence up the said unnamed tributary known as Kainima Creek to its mouth with UTM coordinates E180835, N856598, thence up the Kaituma [something appears to be missing in page turn]... N850940, thence in a southern direction back to the point of commencement. TRACT 'B': The area commences at the point of 300' buffer of the Port Kaituma/Mathews Ridge Railway Line with UTM coordinates N852124, E178712, and its boundaries extends thence in a westerly direction to a pall J.A.B. with UTM coordinates N852122, E178178, thence in a south-western direction to a wood pall J.A.B with UTM coordinates N852085, E178032, thence in a north-western direction to a point of Jonestown boundary with UTM coordinates N852151, E177718, thence in a south-western direction to a point on the right bank Sebai River with UTM coordinates N849905, E175606, thence up the right bank Sebai River to a point with UTM coordinates N850566, E172246, thence in a northern direction to a point with UTM coordinates N850955, E172246, thence west to a point on the 500' buffer of the Arakaka/Port Kaituma Road with UTM coordinates N850955, E170851, thence along the 500' buffer of the Arakaka/Port Kaituma Road to a point on the left bank

Waratabaka Creek, thence down the left bank Waratabaka Creek to a point on the 300' buffer of the Port Kaituma/Mathews Ridge Railway Line with UTM coordinates N847535, E173454, then in a north-eastern direction along 300' buffer of the said Railway Line back to the point of commencement. TRACT 'C' - The area commences at the mouth of the Sebai River, left bank Barima River and its boundaries extend thence up the right bank Sebai River to the mouth of an unnamed tributary on its left bank thence up the said unnamed tributary in its right bank to a point with UTM coordinates N850257, E183342, thence in north-western direction to a wood pall J.A.B. with UTM coordinates N852381, E182458, thence in a south-western direction to a wood paal J.A.B. with UTM coordinates N85208 [something missing in page turn]... UTM coordinates N852128, E178914, 300' buffer Port Kaituma/Mathews Ridge Railway Line, thence in a south-western direction along the 300' buffer of Port Kaituma/Mathews Ridge Railway Line to a point on the left bank Waratabaka Creek, thence down the left bank Waratabaka Creek to its mouth, left bank Barima River thence down the left bank Barima River, back to the point of commencement. Save and except 66 feet on either side of all navigable rivers and creeks, all lands that are legally held and all existing airstrips.

12. Status of application for title: Four Miles first applied for communal title during the 1990s under the former CDC chair, Herman Robertson. GLSC surveyed the land and installed wooden pikes in 2012. Four residents participated in the process including Herman Robinson, Terrence Roberts and Bernard Fredericks. Before the survey began, Four Miles held several internal meetings to discuss and agree upon the proposed boundaries. The exact status of the land title proposal was unclear for a while due to conflicting information from the MoAA, GLSC and other authorities (see 14). Those members of the group who opposed the application for communal title sent objections to the former MoAA. Some residents also applied for individual leases and titles from GLSC because they did not know about communal titles and possibly because they were influenced by 'coastlanders'. They appear to have paid for inspection fees. However, in 2014 many residents affirmed that they did not support individual leases or title but wanted the community to apply for communal land to be managed by their own Village Council.

13. Title suitability: No information obtained

14. Response from the government: According to the CDC chair, the former Minister of MoAA told him at a NTC meeting in 2013 that *"Four Miles' title is in the pipeline for titling and demarcation for 2014 along with 13 other Amerindian villages."* Villagers were not convinced because this commitment was not confirmed in writing and they were also told that the budget had been cut, thus explaining the delay. The regional Minister also raised doubts during a public meeting in March 2014 at Four Miles when, on being asked about the pending Amerindian land title, he replied *'What title?'* Residents denounced this lack of clarity and accused the government of contributing to the increasing conflict and tension within Four Miles over this issue (see 15).

How can one minister say one thing and one say another! We want the government to make up their mind and settle the issue once and for all. [Village resident]

Around the same time the local GLSC office was actively encouraging residents to apply for individual leases and at one time was helping with applications and surveys for individual plots. After mid-2013 this activity decreased and GLSC officers no longer upheld commitments to complete leasehold applications, perhaps reflecting a change in policy. In 2014, community members insisted that GLSC should explain to residents what was happening as the contradictory information was making conflicts between villagers worse.

15. Land and resource conflicts: All villagers, regardless of their position, were worried about increased conflict and tension. They blamed many of the recent incomers to the community for creating a threatening atmosphere in village meetings, which discouraged people from attending in large numbers. The CDC chairman said that he once had to bring a policeman to a public meeting because he had received several threats and was concerned about his personal safety. The interest in individual land holdings within the community reportedly caused many

boundary disputes between neighbours especially recent arrivals, many of whom have now erected fences between houses.

We now feel uncomfortable, we take one step on the other side and he want to chop me with a cutlass. [Village resident, 2014]

Residents are also beginning to be confronted by other claimants to their lands. One case involved a resident selling land to a businessman from Port Kaituma for GY\$2 million. Eventually the sale broke down after a dispute ensued and the CDC chair had to intervene.

Although the community had applied for a land title, local GLSC officials were surveying and demarcating plots for individual leases while at the same time doing the survey for the communal title. Many families claim they have paid GY\$10,000 to GLSC to survey their land but it appears that their documents may be applications for lease rather than certificates of leasehold.

Miners are working in Four Miles' proposed title in the Walabaka Creek, S1 and S11 areas, in the toll gate area and at Kaituma head (see 5.1.28 and 5.1.29). One miner has concessions on Four Miles lands i.e in the Waterdog Creek but is not currently mining. None of these mining concessions have consulted with residents. The road built for the Barama Company's logging (which stopped in 2000) cuts across residents' lands and was built without consulting them. They say the road has brought some benefits including better access to markets and other services, but it has also allowed a massive wave of immigration to the Village.

16. Land security: In 2014 villagers expressed frustration that they could not control any activity happening on their lands including unregulated and illegal mining. Not only did villagers feel they couldn't stop outsiders coming in, but also that their own tenure was being threatened by more and more people wanting their lands. For this reason, at that time many residents were desperately seeking a communal title to protect their lands and gain control. Residents also felt that GFC was restricting them from taking any lumber or piece of wood for their own houses. It is unclear whether getting the title in 2015 has made things better.

17. Livelihoods and environment: Residents say that logging by the Barama Company until 2000 cleared out the land of valuable lumber and scared off game animals that are only just beginning to come back. The worst affected areas were next to the road between 4 miles and 10 miles and White Creek. The only areas unaffected by Barama Company and where some lumber is still available are the Sebai and S1 area. Kaituma Creek and Walabaka Creek are heavily contaminated by mining and no good for fishing; residents report that forest has been demolished there. Water in Kaituma Creek is not safe for drinking, but residents feel this is more of a problem for people in Citrus Grove and Canal Bank. Fishing is still possible in the Barima Creek tributaries. Mining upriver caused heavy pollution (e.g. Black Water) but when mining stopped several years ago fish stocks began to increase. Residents feel that they have adequate water supplies as they can use rainwater and spring water from ponds.

18. Recognition and measures sought:

- a. Residents want government agencies to stop giving mixed information that causes internal disputes.
- b. They wish to see all land claims and existing concessions or leaseholds that overlap Four Miles title cancelled, and confirmation that their land title will be free from other interests including leaseholds and mining concessions. *"We want to know if in this supposed title if we get it whether the miners will continue or not."*
- c. Residents ask the government to stop all mining in Four Miles' proposed title until the residents have been properly consulted.
- d. They also request government support to get their farm produce to market because their bananas are rotting on the trees.

Key findings:

- **Citrus Grove does not have a land title.**
- Residents' rights to land are not recognised in any form.
- The government has so far dismissed or ignored the village's efforts to get a communal title and short-term leasehold protection.
- Mining and forestry concessions almost completely overlap Citrus Grove's traditional lands.
- Mining has destroyed farming lands, fish stocks and the community's main water supply.
- The authorities have not upheld various commitments to stop the mining and solve the water problems.
- Citrus Grove is not included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Kaituma River and tributaries across the watershed to the Barima River, Matarkai sub-region, Region 1.
2. **History:** The Kaituma River was home to an Amerindian population (Carib and Warrau) before the population increased during the 1950s when the extraction of manganese from the Matthews Ridge area started. *Kaituma* means 'meat trap' in Warrau. Many Amerindian objects made of clay were found when the railroad was built. Families occupying the area before the manganese mining companies included the Fredericks, Sandy, Domingo, Roberts and the 'Cashews' (also possibly known as the Mackintyres). Some of their descendants remain in Citrus Grove. Later, a railroad and road were built to transport the manganese, encouraging Amerindians from the Mabaruma sub-region to move into the area in search of work.
3. **Main neighbouring communities:** Canal Bank, Sebai, Oronoque and Four Miles.
4. **Estimated population:** 550 (2014).
5. **Identities of residents:** Arawak, Warrau, Carib and mixed ethnicity. Most residents identify themselves as Amerindian.
6. **Local government:** Community Development Council (CDC) consisting of a Chairman and five councillors.
7. **Land use and economy:** Residents carry out farming, hunting, fishing and gathering. The mining has resulted in less farming and ground provisions such as cassava and eddoe are now imported by local businesses rather being grown locally. Most farming is done on the Upper Kaituma River (e.g. Piranha Creek and right bank Yakarakat Creek), as the land next to the settlement is mainly swampland. Citrus Grove is an 'island' surrounded by swamp, and the airstrip is also on an island. The main hunting areas include the area between Barima and Kaituma Creeks, including Paro Creek, White Creek and Annabissik Creek. There is still good fishing in the savannah at the head of the Annabissik Creek.
8. **Community projects:** One resident has developed a small-scale medicinal plant garden and makes remedies for treatment.

- 9. Institutions and services:** Citrus Grove has a primary school and pupils attend secondary school in Port Kaituma (Central Kaituma School). The local hospital will soon be relocated to Oronoque and Citrus Grove has requested a health post. Guyana Power and Light Co. provides mains electricity and there is also a Digicel mobile network.
- 10. Current land title status:** **No title.**
- 11. Status of application for title:** In 2012 Citrus Grove and Canal Bank CDCs made a joint request for a shared communal title, signed by 282 villagers in Citrus Grove (the village does not have a copy). But, according to Citrus Grove residents, the Canal Bank CDC chair apparently used the petition's text to apply for a State Forest Permit for Canal Bank, which did not succeed in the end (see 5.1.29). Citrus Grove decided to submit their own application and sent a letter to the former MoAA on 20th Feb 2014 requesting recognition of Citrus Grove as Amerindian Village with all associated rights and benefits. To protect their land in the meantime, some villagers filed applications for leasehold with the local GLSC. Four residents applied to lease lands on 4th January 2013 on the area adjacent to the road leading to Four Miles and six others applied to lease lands in the upper Kaituma Creek (Piranha Creek).
- 12. Proposed title description:** The proposed title area would extend from Sebai River mouth up the right bank Yakarakat Creek along the boundary with Sebai Village up to the source of Yakarakat, then across to Rock Creek (left bank Kaituma River) then down Rock Creek to Kaituma Creek, then down the Kaituma River (left bank) to the mouth of Sebai River. Consultation with Sebai Village is needed to agree boundaries.
- 13. Proposed title justification:** Residents explained that their proposed boundary did not include some land that they consider to be community lands as follows: (i) Residential area: This area is classified as an administrative district; it includes the airstrip and lands are mostly swampy (ii) Certain hunting and fishing grounds such as Paro Creek (left bank Barima), Anabissik Creek, White Creek and surrounding hills (Haimarakuru and Griffith back dam). Residents explained that they understood that these lands were not included because GGMC had already given them out as mining concessions with approx 70 blocks in this area. Former MoAA officials told the community that these areas are "too far" from their homes to be included in a title area.
- 14. Response from government:** In 2013, a former Minister of Amerindian Affairs visited and told residents that the community couldn't apply to be a titled Amerindian Village because



the area was mixed with 'non-Amerindian' residents. The advice given was apparently vague, although the Minister did commit to help them get "some kind of arrangement" for land rights of some kind for the proposed area. Meanwhile, despite repeated efforts by the CDC, the authorities have not responded to residents' lease applications that they need to protect their land in the short-term. Citrus Grove has complained several times to the regional GLSC officer, but so far he has not met the residents' request to visit the area. Meanwhile, GLSC has given outsiders leasehold rights over Citrus Grove lands, including a business man causing conflicts with residents. Residents are unhappy that the government has dismissed their demand for a land title, and has only made the vague promise to find "some kind of arrangement" for Citrus Grove. Community representatives met with the Indigenous Peoples Commission in 2011 and informed them of all their concerns, but they have received no response so far.

- 15. Land and resource conflicts:** The lease of the businessman in question was over a plot that was supposed to serve as a right of way for some other villagers. He fenced off this area and villagers were stopped from harvesting coconuts in the lot. Mining blocks (medium scale concessions and mineral licenses) in Upper Kaituma areas affect many parts of Citrus Grove's traditional lands. A 2002 mineral property map shows the upper Kaituma covered by at least five concessions (medium scale prospecting permits) belonging to the same miner (A-280/000-004). No miner has ever consulted with villagers. In 2014 this survey visited miners in Perai Creek who confirmed local residents had not given them permission. Small-scale miners resident in Kaituma complain that wealthy outsiders including foreign companies were given concessions in preference to local miners. In field visits to the area between Perai and Kaituma Creeks this survey observed huge forest loss, diversion of creeks, mud pollution of water and illegal mining. The miners themselves (two Guyanese and two Brazilian) didn't even know the owner of the concession where they were working.

Geonode website information obtained in 2015 appeared to show that forest concessions covered much of what is considered to be the customary land of the community.¹²⁶ These concessions were owned by Port Kaituma Forest Producer Association and an unknown concession owner on Yakarakat Creek (right bank). Ja Ling's concession was active in 2014 and covered the Upper Kaituma River and Kanaima Creek. The company used poisonous trees to build bridges, including *ramata*, sloth heart and sand mora, which contaminated Kaituma River and fish stocks. Full prior consultations were not carried out with residents about these timber concessions, but Ja Ling did consult with affected communities about one year before work began. According to the CDC members Ja Ling promised no pollution and to work alongside the community, but the CDC felt that these agreements were broken. In October 2015, residents reported that they had heard that Ja Ling is 'closing up', but in November 2016 this assessment learned that the concession was still active.

- 16. Land security:** Residents are very worried that they have to lease land that they consider to be theirs by right already. Leasing not only does not provide them with full ownership rights, but it is also costly (GY\$51,600 down payment and thereafter GY\$3600 each year). Residents applied for leases to give their farmlands some protection from mining, but they are still waiting for approval of many of these applications. Without secure rights to land, residents feel they have no freedom to hunt, fish, gather or use any other resources. This weakens their livelihoods and their ability to protect their lands and forests as well as transmit knowledge and skills to future generations.

If we could have rights to our land we could even protect this land. How could we pass along our skills to our children if we do not have any place to practice them? When they cut down the trees in the forest they even cut the mother tree so other species grow back, and now we even have to buy chairs in Georgetown which we could make. [Citrus Grove Resident, 2014]

¹²⁶ This survey found that the area requested by Canal Bank and Citrus Grove is actually overlapped by forest concessions, which could be the reason why community applications for title as an Amerindian Village and a State Forest Permit were rejected.

We should be given back our land, which is rightfully ours as our fore parents lived here. When a land is leased to you it is only yours until the lease runs out and if they want to move you out in that period they can. We don't have security. [Citrus Grove Resident, 2014]

17. Livelihoods and environment: Mining has severely harmed resources used by the community. Kaituma Creek is heavily contaminated by mining, which began about six years ago. Fish stocks are almost completely gone and farming lands without legal protection (e.g. around Piranha Creek) have been dug up. Water from the Kaituma River is heavily polluted and cannot even be pumped because it is too silty. During the rainy season the villagers can use rainwater but in the dry season they are forced to use Kaituma Creek.

It's only the rain assisting us until now but if the rain don't fall and the sun don't shine then the pump doesn't work and we are in trouble. [Resident, 2014]

Soils are still good for farming in non-mining areas and residents don't use fertilisers. Commercially valuable trees such as cedar, *kabakali* and *lemanabali* still exist in some places. Game animals and fish are still bountiful in some parts of the traditional lands, while wetlands remain good for fishing in some areas. But in mining areas resources are getting scarcer e.g. game animals have been scared away from the White Creek area. Gold production is still good, and residents say they can buy food with money earned from mining, but they are worried because the amount of gold is decreasing and it is getting harder for those without dredges and excavators.

For six years the village complained to GGMC and GWI (Guyana Water Incorporation) about the polluted water supply and the mining in upper Kaituma Creek. At various times cease orders were issued to the miners but they only stopped work for a couple of days before starting up again. On 6th July 2014, at the Regional Toshiaw Conference held in Mabaruma, the Toshiaws were told verbally that all mining on the Kaituma Creek would stop and that mining licenses would be cancelled. But no dates were provided and nothing was put on paper. Field visits for this study made later in July 2014 showed that mining was still active on the Upper Kaituma River, despite GGMC's promise.

For its part, GWI has promised to give the village another pump as the existing pump often breaks down due to sediment overload in the water.

Even if they gave us four more pumps it would not be enough, a pump give me all the water I need in my room but I can't fish in a pipe. [Participant at Citrus Grove Public Meeting, July 2014]

18. Recognition and measures sought:

- a. Citrus Grove residents affirm they are united with Canal Bank residents in demanding that the mining in Kaituma Creek must stop immediately as it is poisoning and polluting their main water supply.
- b. They call on the government to respect the rights of the people of Citrus Grove to be recognised as an Amerindian Village with communal ownership rights over their lands, and to respect their right to decide what development takes place on their traditional lands.
- c. Forestry and mining concessions must be discussed and agreed with residents and local authorities before they are granted.
- d. The government must take measures to protect the lands of residents and cancel all leaseholds and concessions for forestry and mining granted to outsiders in their territory.
- e. Residents call on their CDC to resubmit their formal application for communal lands as soon as possible.

Key findings:

- **Canal Bank does not have a land title.**
- National and local bodies under former governments rejected efforts to obtain communal title.
- Mining and forestry concessions almost completely cover traditional lands.
- Residents have limited or no access to timber and house building materials and were persecuted by GFC officials.
- GFC must explain the status of timber concessions affecting community lands (e.g. Ja Ling).
- Uncontrolled and illegal mining have destroyed fish stocks and contaminated key community water supplies.
- Land disputes between Canal Bank farmers and outsiders are frequent and Amerindian farmers have been labelled as criminals and jailed.
- Residents urge their CDC to get internal agreement on the land issue and re-submit an application for communal title.
- Canal Bank is not included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Kaituma River and surrounding tributaries and across the watershed to the Barima River, Matarkai sub-region, Region 1.
2. **History:** The Kaituma River was home to Carib and Warrau indigenous peoples who lived in isolated homesteads before manganese mining started up around Matthews Ridge in the 1950s. Before the 1950s there were Anglican missions at Turo Creek and Annabissik Creek, shown by old coconut trees at Annabissik. Families known to have occupied the area include the Alexanders, Domingo, Gonzalez, Sandy and Roberts. Residents also report that their foreparents lived in an area called Winch Landing, up the Walabaka Creek and in White Creek (the Almond family). Today, some residents still live in Turo Creek. The railroad and road built to transport the manganese encouraged Amerindians to migrate in from the Mabaruma sub-region as well as people from Pomeroun and Moruca.
3. **Main neighbouring communities:** Citrus Grove, Oronoque and Four Miles.
4. **Estimated population:** 1500 (2014).
5. **Identities of residents:** Mainly Warrau and Carib, with some Arawak and a few mixed ethnicity families.
6. **Local government:** Community Development Council (CDC) with a Chairman and several councillors.
7. **Land use and economy:** Residents carry out farming, hunting, fishing and gathering. Although the mining boom has increased imports of food from outside the area, most residents still have small farms for greens and eddoes as well as permanent crops such as fruit trees and coconut. Farms are also cut for pineapples and cassava. Most farming is around Turo Creek and in areas like Gravel Creek, which flow into the Kaituma. Most land close to the settlement is swampy.

Most of the houses are on the Canal Bank and are surrounded by swamp. More distant hunting and fishing grounds are shared with Citrus Grove (see 5.1.28). Small-scale artisanal mining for gold (pork knocking) is a long-standing practice of Canal Bank's Amerindian residents.

- 8. Community projects:** Local residents are concerned at the poor state of local roads, water and waste services and the ineffective use of public funds and royalties from mining. Residents have organised themselves as part of a local NGO to demand that local authorities provide public benefits from mining activities. To this end, they are involved in the Port Kaituma Development Association (PKDA), which organises community clean ups and lobbies for improved services and more transparency in public services.
- 9. Institutions and services:** A primary school and secondary school are in Port Kaituma (Central Kaituma School) and Canal Bank has a health hut.
- 10. Current land title status: No land title.**
- 11. Status of application for title:** Some elders remember that the late former Captain (Mr. Earnest Lowe) tried to apply for a village title, but they don't recall the proposed boundaries. More recently, the community did not formally apply to be an Amerindian village with title but aimed to protect some communal land through an application for a State Forest Permit (SFP) in 2011/2012 (see 14). Some residents also applied for individual leases and titles from Guyana Lands and Surveys Commission (GLSC), and paid inspection fees, because they didn't know about communal titles and were influenced by 'coastlanders'. Many other residents said they preferred a communal land title and would not apply for individual lease. They want the land to be under the control of their own Amerindian Village Council.
- 12. Proposed title description:** The proposed land title to be shared with Citrus Grove (5.1.28) (which was abandoned under duress by the community – see 13 below) and the later proposed SFP both had this description: from Sebai River mouth up the Yakarakat Creek (right bank), along the boundary with Sebai Village up to the source of Yakarakat Creek and then across to Rock Creek (left bank Kaituma River) then down Rock Creek to Kaituma Creek, then down the Kaituma River (left bank) and back to the mouth of the Sebai River.¹²⁷
- 13. Proposed title justification:** Few residents know that they are entitled to apply for a communal title as indigenous peoples living together in a settlement with shared land use and occupation. Even so, many feel that their rights to the lands that they have occupied and used for generations for farming, gathering, hunting, fishing and lumbering are seriously at risk. Residents report that the CDC chair was pressured by former government authorities to give up the attempt to obtain a communal title with Citrus Grove and instead submit an SFP application.
- 14. Response from government:** The GFC rejected the application for an SFP, saying that the area was part of the Ja Ling forestry concession. Only one resident secured a lease. Other applicants were told to visit or call the GLSC office in Mabaruma. The former MoAA was involved in some of the many land disputes in the area. In one case, the MoAA supported the case of Amerindian plaintiffs and helped to resolve the dispute with GLSC in their favour. On the other hand, the former MoAA seems to have made no effort to support a village title for the community.¹²⁸
- 15. Land and resource conflicts:** Many mining blocks overlap the traditional land of the Canal Bank community (much of it shared with Citrus Grove) in the Upper Kaituma and White Creek areas. According to a 2002 mineral property map seen by this study, at least five concessions (medium scale prospecting permits) were allocated over parts of the Upper Kaituma area. Residents say that neither the GGMC nor any miner has ever consulted with them.

¹²⁷ Citrus Grove sketch map, July 2014

¹²⁸ Information obtained by this study via Geonode shows that much of the area of land jointly requested by Canal Bank and Citrus Grove is actually overlapped by forest concessions (see 15). This may explain why applications for an Amerindian land title and an SFP were rejected.

There is plenty land in Guyana for these foreigners so why they need to come to we land. [Resident, 2014]

...this land is Amerindian land. It is we land. Why should we pay for this land? [Resident, 2014]

Forest concessions cover a large part of the area Canal Bank requested in its SFP. Port Kaituma Forest Producer Association and an unknown owner on Yakarakat Creek (right bank) own these concessions. In 2014 there was logging in Ja Ling's concession on the Upper Kaituma River and Kanaima Creek. In 2015, residents received unconfirmed information that Ja Ling's operations were closing down, but in November 2016 this assessment learned that the concession was still active.

There were also serious conflicts over farming land. In one case, a resident of Canal Bank who was a small-scale farmer, was arrested and jailed several times after numerous disputes with a person from Port Kaituma. This person claimed that land being farmed by the Canal Bank resident was his own but this study has not found any supporting documents for such a claim. The resident reports that the Port Kaituma person falsely accused him of damaging fruit trees, and says these allegations are '*a bare lie*'. Supporters of the resident point out that this is an issue for GLSC and Ministry of Agriculture and not the police. Meanwhile, he and other Canal Bank farmers were continuously harassed by the same Port Kaituma person, who forced them to uproot their cassava plants and stole their axes and timber.

Residents also complain they have no access to forest areas to cut timber or to gather forest products. They tell of many cases where GFC caught and fined residents and confiscated their equipment.

We don't have rights to cut anything in the forest, even round wood. If GFC catch you, they seize you and take your saw and fine you. I don't know where this money goes, if it is going to the government or the forest ranger. I say this because at night big boats come here with lumber, but when you are poor they put you down in a hole. [Resident, 2014]

- 16. Land security:** Residents can only cultivate a narrow band of non-swampy land around their house. Villagers are worried that their house plots are not big enough for their farming needs, as they practice organic rotational farming without fertiliser and don't want to use chemicals to boost production. If and when villagers need further lands there is only swamp nearby. Residents are desperate for land rights, as they don't even have legal ownership of the small areas of land around their houses. Because they have little or no access to farming lands several residents came into conflict with outsiders who claimed rights over land that residents are farming.

Lands should be titled and Amerindians should have rights over it without needing to pay for a lease. This is Amerindian land and it should be given to us as the rightful owners. [Resident, 2014]

- 17. Livelihoods and environment:** Many residents complain about the mining around White Creek and Kaituma Creek (see also 5.1.28). Residents say that mining has destroyed forest in the White Creek and Haymarakuru Hills and it is not regenerating.

Mining is nasty. It destroys the forest and only grass grow there now. There is no order. There is no control. It is all illegal and nobody knows how much is being produced as they just declare it themselves. Even the government is not getting any benefit. [Resident, 2014]

Water from the Kaituma River is heavily polluted and mining in White Creek has caused malaria to increase. According to residents, health and mining authorities recently confirmed high levels of mercury and faecal bacteria in the Kaituma making it unsafe to drink. Even bathing in the river can cause discomfort and skin infections. During the rainy season residents collect



rainwater, but in the dry season they have to get water from the pump in Citrus Grove or a small creek. Residents say that water from creeks downriver of the Annabissik Creek is still clean. Residents say that materials for house construction, such as *kabakali* timber and *troolie* leaves, are now scarce near to the community. They complain that nowadays they don't feel free to go to any forest area anywhere.

Fish are scarce now because of mining. We residents must travel to Annabissik Creek for the best fishing. Games are more scarce: you used to get everything, but now you can't get it. [Elder, Canal Bank, 2014]

18. Recognition and measures sought:

- a. Residents of Canal Bank affirm that they stand together with the people of Citrus Grove in calling for mining in Kaituma Creek to be stopped immediately, as it is poisoning the river, destroying fish stocks and harming water supplies.
- b. The residents ask the government to respect the right of the people of Canal Bank to be recognised as an Amerindian Village with communal ownership rights over their lands.
- c. They urge the CDC to get agreement on land rights and community governance and resubmit their formal application for an Amerindian land title.
- d. Residents want the government to take immediate steps to protect the farming rights of residents when they are challenged by outsiders and public prosecutors.
- e. Before mining and logging concessions, or any other development or resource extraction, are planned for indigenous peoples lands, residents want to be consulted and give their agreement.
- f. While a title for the community is being processed, residents want strong short-term measures to be in place to protect residents' lands and cancel all leaseholds and concessions for forestry and mining granted to outsiders on community land.

Key findings:

- **Oronoque does not have a title.**
- Residents' rights to land are restricted to a 'housing scheme', which gives 0.5 acres (0.2 hectares) to each resident.
- Residents have no access to land or forest for farming, hunting and gathering of basic foods and materials.
- Water supplies are a problem as mining has contaminated many rivers.
- Logging and mining on residents' customary lands without their free, prior and informed consent has caused widespread forest destruction and harmed their livelihoods and food supplies.
- Oronoque is not included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Matarkai sub-region, Region 1.
2. **History:** The current village site was founded in the 1980s and the first captain was Joseph Lows.
3. **Main neighbouring communities:** Citrus Grove and Four Miles.
4. **Estimated population:** 300 (100 households) (2014).
5. **Identities of residents:** Warrau, Carib, Arawak.
6. **Local government:** Community Development Council (CDC) with a Chairman.
7. **Land use and economy:** No information obtained.
8. **Community projects:** No information.
9. **Institutions and services:** Oronoque has a primary school; the secondary school and nearest hospital are in Port Kaituma. The village is connected to Kaituma mains electricity and has a Digicel mobile connection.
10. **Current land title status: No title held.** The community is a CDC but occupies a 100 acre (40 hectare) housing scheme on land that was taken out of the Barama logging concession. The housing scheme was later started under the 'Food for the Poor' programme of the former MoAA.
11. **Status of application for title:** An application for communal title was submitted to the administration in the 1980s. Residents were unsure if it was a written application as older residents recall being assured by the then President of the Republic that all they needed to do was occupy the land and no paperwork was needed. Concerned residents have for some time tried to follow up this application. But they say that the CDC Chair has not supported them, as he apparently considers that the current land tenure status is fine. According to residents, the

129 The CDC Chair of Oronoque did not permit the team to visit the community in July 2014, apparently for political reasons. However, a group of concerned residents wanted to participate this land tenure assessment so the team met with them in Port Kaituma, where they supplied the information in this summary report.

CDC Chair has not resubmitted a formal land title application due to political pressure from government officials in the former administration.

12. **Proposed title description:** None provided.
13. **Proposed title justification:** Residents feel a strong attachment to their land and are extremely worried that their traditional lands are not legally recognised. They want a title because they have no control over their farm land or their forest lands used for hunting, fishing and gathering of other essential resources for food, craft and construction.
14. **Response from government:** see 11. Former government officials avoided or resisted giving residents documented land rights. Instead residents were set aside the above-mentioned 100-acre housing scheme.
15. **Land and resource conflicts:** Residents reported widespread damage to forests from mining and logging, including damage to non-commercial trees that are important for residents. Miners left large open pits in the community's traditional land, now filled with green water that is contaminated and stagnant. Villagers stated that they cannot fish because of mercury contamination in the Kaituma River and smaller streams.
16. **Land security:** Residents noted that the 100 acres of land in the housing scheme is far too small to meet their farming needs and does not allow them to obtain the forest resources they need for subsistence. What is more, even this extremely small area has been steadily reducing since the original housing scheme was created. At first, the CDC reportedly gave each resident two acres (0.8 hectares) but now this has gone down to 0.5 acres (0.2 hectares) each. Currently residents are unsure of the legal status of their lands and if their rights to them are in any way recognised:

We were given 2 acre, then they reduce us to 1 acre; and now we only have half acre. We don't know what we children gonna get....maybe nothing. [Oronoque Resident, 2014]
17. **Livelihoods and environment:** Residents capture rainwater in water tanks but, during the dry season, clean water supplies are scarce and are affected by mining. As each resident only has half an acre of land, their ability to feed themselves is very uncertain.
18. **Recognition and measures sought:**
 - a. The CDC has apparently blocked residents' efforts to obtain title to their traditional lands and many are concerned about the lack of secure land tenure.
 - b. These concerned residents call on their CDC to follow up on Oronoque's title application and submit a formal application, if necessary, based on the full participation and agreement of the residents.
 - c. They ask the government to legally protect Oronoque's community lands: *"recognise our traditional lands and stop viewing and painting Amerindians as a beggar for lands belonging to them."*
 - d. Residents ask the government to also look into the land issue and change the law to recognise Amerindian rights to customary lands and their right to consent to any activities on these lands.
 - e. Residents want the government to prevent forestry or mining concessions on Amerindian lands that remain untitled and make sure that Amerindian lands are titled before lands are given as concessions to outsiders.

Key findings:

- Eclipse Falls reportedly received a title in 2015, but the villagers don't know the final boundaries. The actual legal status of the land title is unclear in 2016.
- The government reportedly decided the area for communal title.
- From the information available, residents are concerned that the area proposed for title will not protect homesteads, farming grounds and fishing and hunting grounds along the Barima River (left bank).
- Brazilian miners in the upper Barima River have contaminated water supplies.
- Residents are considering appealing against the new title area if it is found to have ignored community requests and left out vital customary lands.
- Unconfirmed sources say that in 2016 the government asked the Village to resubmit its title application.
- Eclipse Falls is included in the Amerindian Land Titling (ALT) work plan.

1. **Location:** Barima Waini Region, Matarkai sub-region, Region 1.
2. **History:** Amerindian people were documented as living in the area in the 1940s.
3. **Main neighbouring communities:** Arakaka and Big Creek.
4. **Estimated population:** 400 (120 households) (2014).
5. **Identities of residents:** Carib.
6. **Local government:** Formerly a CDC council and chair. A Village Council will be formed to oversee the new title area and community affairs.
7. **Land use and economy:** Residents are subsistence farmers. The main crops include sweet/bitter cassava, bananas and other ground provisions. Residents make cassava bread, *paiwari* and corn wine. Most farming lands are on the right and left banks of the Barima River. The main hunting and fishing grounds are on the Barima River and the following creeks: Wauna, Wayamaka, Wanamaparu, Wauma Paru and the Tukowari.
8. **Community projects:** None identified.
9. **Institutions and services:** The Village has a primary and nursery school. Most secondary school pupils go to Kaituma Secondary School. The Village has one community health post staffed by a community health worker.
10. **Current land title status:** Title received in 2015.
11. **Status of application for title:** The community applied for a land title in 2007. According to the ALT project document the Village was shortlisted for titling and demarcation in the first year of the project. An ALT investigation team visited the community at the end of 2014 and told the residents that the title was being processed. In October 2015 the community was still waiting for their title document and map to check the final description of their title. In 2016 residents said the government told them the application should be resubmitted for processing

by the new administration. This study has not received confirmation of this news from residents. Some people fear that confusion over the status of the communal land title may be due to push back from powerful outside mining interests.

- 12. Proposed title description:** This study did not see a formal record of the title request, but one resident recalls the approximate area requested was: *"...from the Arakaka Paru Creek, up the Barima River to the Wauna River and to its tributary called Kasama Paru Creek, linking back to a tributary of the Arakaka Paru Creek and then down the Arakaka Paru Creek to the point of commencement."* This area covers 65 square miles. The CDC Chair of Eclipse Falls explained that the plans and work to apply for land title involved people from Big Creek community, which falls inside the proposed title.
- 13. Proposed title justification:** The community wants legal ownership to their farming, hunting, fishing and gathering grounds, which are threatened by mining and logging.
- 14. Response from government:** MoAA and GLSC have issued a map of the proposed area to be titled. Community members are not satisfied because about 100 people are living outside the proposed title area, which is located on the left bank of Barima River. A local government official reportedly told the community that it cannot get both sides of the river. Apart from the households, most of the community's hunting/fishing grounds are excluded in the proposed plan (e.g. Wayamaka Creek, Tukowari Creek and Wauama Paru Creek, which are tributaries on the left bank of Barima River). The Village did not file a formal complaint to the former MoAA, as community members didn't know that they could appeal the proposed area.
- 15. Land and resource conflicts:** Destructive mining, mainly by Brazilian miners, in upper Barima River in the customary lands of Falls Top at a place called 'Five Star' has caused serious pollution of the Barima River.
- 16. Land security:** The new land title excludes houses and farming grounds of 100 residents as well as key areas of Eclipse Falls' traditional lands.
- 17. Livelihoods and environment:** Residents continue their traditional hunting and fishing, although they report that fish and game are increasingly scarce because of the many people living in a small area as well as the destruction and noise caused by mining. Apart from the areas affected by mining, residents say that the forest is in good shape and residents can still get materials for logging, craft and construction. Water in the main mining area (Five Star), is not suitable for drinking, but fortunately residents can get clean water from rainfall and springs near their homes.
- 18. Recognition and measures sought:**
- a. Residents will appeal the boundaries of the new title area if it is found to leave out houses and farming grounds as well as key areas used traditionally for hunting and fishing (including those on the left bank Barima River).



Key findings:

- **Powaikoru does not have a title.**
- There is no outside mining and logging in their territory so the forest and the rivers are generally in good shape and provide the community with enough food and clean water.
- A longstanding application for land title remains unresolved, despite government promises that it is being processed.
- A proposed boundary for a village title was dictated by government officials, without dialogue or information about their rights. The proposal does not cover much of their traditional lands, including the main creeks used for hunting and fishing.
- Residents insist that their title must be issued and it must cover the full extent of their customary lands.
- Residents call on their CDC to follow up on the land title application.
- The community is not included in the Amerindian Land Titling (ALT) work programme.

1. **Location:** Matarkai sub-region, Region 1.
2. **History:** Residents recall that the current village site was founded in the 1930s by families including Lewis, Jeffery and Thomas.
3. **Main neighbouring communities:** Hobodia and Hotoquai.
4. **Estimated population:** 169 (37 households) (2014).
5. **Identities of residents:** Warrau.
6. **Local government:** CDC and councillors all share duties.
7. **Land use and economy:** Residents carry out subsistence farming, hunting and fishing. The main crops include sweet/bitter cassava, fruits and other common ground provisions. Pepper pot and cassava bread are common alongside drinks such as fly, *paiwari*, *belteri* and corn wine. The main hunting and fishing grounds are on the right and left banks of the Paiana and Borado Creeks.
8. **Community projects:** No information obtained.
9. **Institutions and services:** The primary school occupies a community building, but there is no nursery school. A health hut is far



away from the village and has no community health worker. Health personnel from the Ministry of Health visit every five months. The nearest secondary school is at Kaituma, but currently there are no students attending.

10. Current land title status: No land title is held.

11. Status of application for title: In 2014 the CDC Chair (Nicholas Lewis) said *"We been seeking title for this land since a long long time ago."* He remembered that two former chairpersons of the CDC had filed applications for land title, but had received no response (the research team could not obtain dates).

12. Proposed title description: Residents reportedly did not include all the areas they consider to be their customary lands in their title request because government officials told them they could only apply for certain areas. The community received no independent information or guidance about their right to obtain legal ownership over the full extent of their traditional lands.¹³⁰

13. Proposed title justification: While community residents have sought legal title for some time (see 11), it is only recently that they made a formal application. Before this time, they simply did not understand the need for documents to support these claims and believed that their rights were protected because they occupied the lands and their foreparents had occupied the lands for many generations.

14. Response from government: The Community Development Officer for the region visited the village in 2014 and told them that the titling application was being processed. The community is disappointed how long the process is taking.

15. Land and resource conflicts: Currently there is no external mining or logging on their lands.

16. Land security: Residents feel that while their land title is being processed their ownership is at risk. They are worried that the proposed title area does not cover all their traditional lands and the main resource areas.

17. Livelihoods and environment: Currently, residents feel free to use their customary lands for hunting, fishing and gathering of vital forest materials. However, they are uneasy about doing small-scale mining or cutting timber and fear that GFC will seize their felling equipment. Villagers say that their forest is still largely in good shape and the water is still good for drinking because there is no outside logging and mining nearby.

18. Recognition and measures sought:

- a. Residents demand that the government must resolve the outstanding land question for Powaikoru and all indigenous peoples in Guyana.
- b. Residents insist that the government must recognise and title the land to communities according to their traditional tenure system and stop handing land out to miners, loggers and other outsiders. *"Government should recognise that those lands are ours and give us our title so that we can manage our land."*
- c. Residents call on their CDC to follow up the titling process and make sure that the final agreed boundary covers their traditional lands. In 2014, the CDC chair reported that he would follow up the application in the NTC process.

¹³⁰ This study was not able to verify whether there is a proposed title area put forward by the government and, if so, whether it would include important creeks such as Borado and Paiana.

Key findings:

- **Big Creek does not have a land title.**
- Residents do not have any form of land security, not even leasehold.
- The settlement does not have CDC status and lacks basic services such as a health post and primary school.
- In 2014 not all residents of Big Creek knew that Eclipse Falls included Big Creek in its application for Amerindian land.
- Most people, including children from the age of 12 years, work in the mines.
- Mining has polluted the main water supply and fishing grounds and, in the past, led to serious conflicts when outside miners destroyed crops and farms.
- Residents of Big Creek want to discuss with Eclipse Falls to coordinate their land claim.
- The community is not included in the Amerindian Land Titling (ALT) work programme.

1. **Location:** Matarkai sub-region, Region 1.
2. **History:** Residents say that the current settlement has existed since at least the 1940s. Founder families include David and Benjamin. Residents have found old clay pottery fragments in the Wauna Creek area showing former Amerindian occupation and land use.
3. **Main neighbouring communities:** Arakaka and Eclipse Falls.
4. **Estimated population:** 400 (50 households) (2014).
5. **Identities of residents:** Carib and mixed ethnicity.
6. **Local government:** The community has no formal representation and no recognised governing body.
7. **Land use and economy:** Residents are subsistence farmers. The main crops include sweet/bitter cassava, pumpkin and other greens. Most farming lands are right next to the village centre and along Big Creek itself. The main hunting and fishing grounds are on Wauna Creek (the only place for fishing haimara), Takutu Creek, Papaya Creek and Tiger Creek. In the past, residents and their foreparents did small-scale mining but this is now more difficult because of larger scale mining in the area:

Yes we daddy use to spin batel and get the little gold, but we can't do this now. Too much of mining around us. [Resident, Big Creek, 2014]
8. **Community projects:** None identified.
9. **Institutions and services:** No primary or secondary school. A health hut was built in 2004, but was abandoned by staff and no longer functions.
10. **Current land title status:** **No land title is held.**
11. **Status of application for title:** Until recently, most residents didn't know they could apply for a land title. Big Creek lies within the proposed land title area of Eclipse Falls and the CDC of Eclipse



Falls claims to have involved Big Creek in its application (see 5.1.31). In 2014 some residents of Big Creek said they did not know about Eclipse Falls' efforts to obtain title. Once informed of the issue, views among residents varied. Some residents said they might consider making an independent application for title, if necessary.

12. Proposed title description: N/A

13. Proposed title justification: Residents stress their strong connection to the land, which comes from occupation by their grandparents, who left them lands as well as detailed knowledge of good hunting, fishing and farming grounds.

14. Response from government: N/A

15. Land and resource conflicts: Currently the people mining in the area, including some who have mining permits, are residents of Big Creek. But in the past the area was heavily mined by outsiders, which led to severe conflicts with residents as they even bulldozed residents' permanent crops. Some miners still have an excavator near the village settlement. The villagers sent a report to the former MoAA about the problems with outside miners, but it is unclear if they ever received a reply.¹³¹

16. Land security: Currently residents are free to use the land but, in the past, outside miners obstructed their farming. Meanwhile, their rights to their lands currently have absolutely no recognition from the Guyanese government.

17. Livelihoods and environment: Mining has heavily polluted the waterways surrounding the village including Big Creek, the main source of drinking water, which is now unfit for drinking or bathing. But villagers use it because they have no other source if there is no rain. Fishing grounds have also been affected a lot. Villagers say populations of some game animals such as *labba* and turtles are reasonably healthy, but deer and larger game animals are quite scarce because mining has destroyed their habitat and food sources. Most villagers, including children from the age of 12 years, work in the mining sector and have to buy food from traders at a high cost.

18. Recognition and measures sought:

- a. Residents of Big Creek want discussions with Eclipse Falls about land rights and request an update and more information about the title applied for.
- b. They reserve the right to file their own application for Amerindian land title if necessary (after discussing with Eclipse Falls).
- c. Residents also request the government to help with basic facilities and services, especially a primary school. Not having a primary school means that children work in the mines.

¹³¹ No further information on prior mining conflicts has been obtained by this tenure assessment.

Key findings:

- **Arakaka does not have a land title.**
 - A private mining landowner occupies lands traditionally owned by Arakaka residents and is restricting access to farming grounds and undermining community tenure rights.
 - The only farming grounds are in residents' backyards because mining has destroyed the forest and private land owners apparently claim other ground.
 - Residents can no longer get materials freely from the forest, even basic construction materials.
 - Mining operations along the Barima River have contaminated water supplies and destroyed primary forest.
 - Residents and the CDC are considering applying for land title.
 - The community is not included in the Amerindian Land Titling (ALT) work programme.
-

1. **Location:** Barima River, Matarkai sub-region, Region 1.
2. **History:** Not documented on visit.
3. **Main neighbouring communities:** Matthews Ridge, Eclipse Falls and Big Creek.
4. **Estimated population:** 700 (140 households) (2014).
5. **Identities of residents:** Carib and mixed Indo and Afro Guyanese.



6. **Local government:** CDC with a Chair and two community support officers.
7. **Land use and economy:** Residents carry out subsistence farming mainly in their own back yards, and also do some small-scale cattle rearing. The main crops include sweet/bitter cassava, bananas, corn and ground provisions. The community is spread out in several settlements: Central Arakaka, 14 Miles Arakaka and in homesteads along both banks of Barima River. Residents hunt and fish mainly in Big Creek and Wauna Creek as well as the main Barima River. Many residents mine in and around the village settlements for an Arakaka resident whose parents in the 1980s apparently had a lease for a cattle ranch on the site of the village.
8. **Community projects:** Some community members are rearing cattle and others are implementing small-scale fish farms.
9. **Institutions and services:** The community has a primary school and three teachers, but no health service. Secondary school pupils go to school in Kaituma, Mabaruma or Moruca depending on their grades.
10. **Current land title status:** **The community does not have a land title.**
11. **Status of application for title:** The community did not know that it might have the right to apply for a communal land title. GLSC has carried out occupational surveys for individual leases.
12. **Proposed title description:** N/A
13. **Proposed title justification:** Residents point out that they have been trying to get rights to land from Guyana's government since the 1980s. They feel a very strong connection with the area and stress they will not be moved off their land.
14. **Response from government:** N/A
15. **Land and resource conflicts:** A mining concession holder occupying a large area of Arakaka's lands is preventing residents from freely using their farming grounds. Some residents allege that this miner has threatened to bulldoze the houses of some families. As a result, some residents feel pressured to move to another area to live and farm.
16. **Land security:** There is very little land available for farming and most residents have to farm in their own backyards as other land is apparently owned privately or it is used for mining (this survey has been unable to confirm the existence or status of any privately held lands). Residents feel very strongly that the land is theirs and that they need it for their own survival.

The land is needed for us to do our farming and live like we use to do long ago, hunting and fishing freely but now you can't do that because somebody say they own here, somebody say they own there and everywhere, which should be our land back then now they take it from us. [Resident, 2014]
17. **Livelihoods and environment:** Residents cannot freely go to the forest for construction materials as GFC has told them they need permission for removing and using any such materials. The Barima River is heavily polluted from mining tailings and dumping of other mining waste. Residents say the river now *"looks like porridge"* but they still use it for bathing as they have no other option. Mining has caused severe forest loss and residents complain that the area today is pure 'cowboy' land where no laws or responsible practices are followed.
18. **Recognition and measures sought:**
 - a. The CDC chair intends to file an application for an Amerindian land title when participating in NTC meetings.
 - b. Residents call on the government to give them their community land rights and prevent mining damage to land and waters in their area.

Key findings:

- Baramita has a title, but government maps have excluded almost 150 square miles of titled lands, most of which has been issued to mining concessions or is designated as ‘unallocated State Forest’.
- Uncontrolled ‘legal’ and ‘illegal’ mining on Baramita titled lands is diverting creeks, and destroying forest and vital habitats for fish and game populations as well as causing major social impacts.
- Miners are committing serious human rights violations against Baramita residents including gang rape and sexual assault leading to high levels of HIV and high suicide rates especially among younger people.
- Companies mining with ‘agreement’ of the Village Council don’t have to fulfil any conditions and less than half of them pay even minimal royalties to the Village.
- An unknown large number of miners are working within the title area without any permission of the Village.
- VGMs held in 2014 and 2015 called for priority government action to correct demarcation errors and stop human rights violations and environmental damage caused by mining.
- Baramita is included in the Amerindian Land Titling (ALT) work programme for title demarcation.
- Demarcation work and correction of boundary errors started in 2015, but is not complete.
- People suffering from human rights violations have not received amends, and most perpetrators have not been brought to justice.
- Government actions in Baramita to tackle human rights abuse and social problems linked to mining have so far been *ad hoc* and there is no coherent plan to protect community rights.

1. **Location:** Upper Barama River, Matarkai sub-region, Region 1. The western boundary of the title area runs along the border between Guyana and Venezuela.
2. **History:** Historical sources show that the Caribs have occupied the upper Barama area since at least the 19th century. Before that Amerindians used and occupied the area for a long time, as shown by old pots, arrow heads and axe heads found at Warapa Creek and Tandisi head. Baramita residents today affirm that their foreparents moved to the headwaters of the Barama “to get away from the coastlanders.” In the 1890s, a gold rush affected all of the Northwest District and miners had moved into the Barama River valley by the early 1900s. By the 1930s they had opened mines and hired Carib labour. Mining brought malaria that hit the communities very hard. Mining had already reached the Baramita area and upper Barama River in the 1930s, where mechanised crushers were used to work rock deposits at ‘Golden City’, ‘Millionaire’ and ‘Old World’. In the 1940s and 50s British colonial officers recorded the serious social harm done

by mining including prostitution, alcohol abuse and drunken brawls.¹³² Central Baramita was set up in the early 1960s by local families and a coastlander miner called Wesley Baird after an airstrip had been constructed in the 1950s. Before this Baramita Caribs had occupied the surrounding area for many generations, with people living in dispersed settlements. Many residents still prefer to live in spaced-out settlements well away from the main village site (see 7 below).

Mr Baird arrived in the region in 1939 and began underground mining using Baramita-Carib labour. He fathered many children with Baramita Carib women. His descendants still hold prominent positions within the Village and own mining businesses and shops there. Founding families include the Williams and Jacobs, who incorporated Mr Baird into their families.

Mining decreased in the 1960s and 1970s but a new gold rush began in the 1990s. At this time, mining permits were sold to foreign mining companies without the knowledge of the community, which led to major criticisms from international NGOs such as Survival International. In the 21st century, the same gold rush has now reached fever pitch. More and more miners have entered the Baramita community since the opening of a new road from Matthew's Ridge in 2003, while rich gold deposits have drawn the attention of foreign mining companies.

3. **Main neighbouring communities:** Black Banana (Carib settlement just outside title) and Five Star (mining settlement, Barima).
4. **Estimated population:** 2000-3000 (2015).
5. **Identities of residents:** Baramita-Carib. The Village is also occupied by at least 500 coastlander and non-Carib miners, mine workers and pork knockers. Some residents think there may be as many as 1000 non-community miners active within their titled land.
6. **Local government:** A Village Council with a Toshao, Deputy Toshao and ten councillors.
7. **Land use and economy:** Carib families carry out subsistence farming, hunting and fishing. Almost all residents are involved in small-scale gold mining known locally as 'punting'. A few Baramita-Carib families are said to live in more remote parts of the title area in voluntary isolation, staying away from non-Amerindians. The main Central Village with a population of about 500 (many non-Carib miners) is next to an airstrip. There are also 23 minor settlements and mining camps scattered throughout the upper Barama River. Settlements include Warapa, Aranka Creek (Rock Hill), Aranka Landing, Kokorite, Korotuku and Haiari Creek. Some Caribs do punting full time and buy most of their food, while others still cut small farms for their family food supply. Important farming grounds are at Aranka, Karaparu, Cassi Creek, Barama line, Warapa side and Piai Creek. Residents grow common ground provisions as well as sugarcane, pumpkin, watermelon and many fruits including mango, sugar apple, breadfruit, cashew, orange and lime. Local supplies of game and fish have become very scarce due to mining damage, and hunting grounds within titled lands at White Sand, Golden City Triangle, New Star, Blackwater and Red Creek have all been destroyed by mining. Hunters must walk for three days to Kuyuwini outside their title to reach areas that still have plentiful game. Residents say that *"the mines have destroyed all our small creeks and it is pure slush."* Within their titled land only the Pirai and Warapa Creeks, and some of the headwaters of the Baramita River, remain healthy. So residents often have no choice but to buy imported meat and fish brought in by road or plane. Only a few Amerindians work for the mining companies; they mainly employ coastlanders and a few Arawak and Wapichan mine workers. There are at least 20 stores and rum shops in the Central area, most of which are controlled by non-Amerindians.
8. **Community projects:** Since 2012 the Indigenous Peoples Commission (IPC) has worked with the Village Council to draw up a draft Village Development Plan,¹³³ but the plan does not directly

132 Peberdy, P S (1948) *British Guiana: Report of a Survey on Amerindian Affairs in the Remote Interior: with additional notes on coastland population groups of Amerindian origin* Colonial Development and Welfare, Scheme No.D426

133 Haynes, A (2013) *Strategic Plan of Baramita Village Council: building confidence of the Council members to govern the Village for the betterment of the Baramita people* Draft for consideration of the Village Council, 26 January 2013. NOTE: for the villagers to review this plan properly, they need a meeting in their native language, supported by facilitators.

tackle destruction from mining, social problems and land tenure conflicts linked to the mining industry. The plan reportedly is on standby as it has not been approved by all the villagers nor does the VC have the means to put it into practice.

9. **Institutions and services:** There is one primary school and a health post in the central Village. Many children living in outlying settlements and remote homesteads do not attend school. At present there are no Baramita-Caribs attending secondary school, although the nearest school would be at Port Kaituma.
10. **Current land title status:** Titled. Baramita was declared an Amerindian District in 1977 under the 1976 Amerindian Act, but a legal land title was not granted until 2004. The title description follows boundaries described in the 1976 Amerindian Act, but appears to convert the District into a title granted (sic) to "Baramita (homesteads) Village Council". In short, the 2004 title has apparently reduced the status of the area from an Amerindian District to an Amerindian Village. In this title document the state withholds the rights to subterranean water and minerals.
11. **Existing title description:** "The area commencing at the mouth of the Haiari Creek, left bank Barama River, left bank Waini River, thence up the Haiari Creek to its source, thence west along the watershed between the Barama and Barima Rivers to the source of the Kaliaku and Baramita Rivers on the Guyana-Venezuela Boundary; thence south along the said Guyana-Venezuela boundary to a point west of the source of the Massowakhi Creek, thence east to the source of Massowakhi Creek, thence down the Massowakhi Creek to its mouth, left bank Aunama River, thence down the Aunama River to its mouth, right bank Barama River, thence up the Barama River to the point of commencement."¹³⁴
12. **Title suitability:** Residents who took part in this survey say that they don't remember any consultation before the land title was issued. They say they are pleased that their lands have been titled, but are concerned that the boundaries are mistaken in places, are insecure and their demarcation has taken so long to start (see 13 below). Villagers protest that GGMC, which appears to use maps that show different title boundaries for the Village, has apparently issued portions of titled lands to outsiders. Government maps show that two large tracts of land taken out of the title were defined as 'unallocated State Forest' or handed out by the GGMC to mining interests without the knowledge or consent of the Village Council. In one case, the boundary line following Haiari Creek to its head and along the watershed between the Barima and Barama Rivers as described in the title is not shown on several government maps (2011 National map of Amerindian Villages, GGMC and GFC maps dated from 2009 to 2012 etc.). Villagers are very unhappy about this.

Miners have excavated across the whole of the excluded tract of land around Haiari Creek, and it is already mostly worked out. More than 20 mining blocks were obtained by 'lottery' in the Haiari area sometime in late 2014. In 2015, residents reported 26 new mining blocks in the Haiari Creek area.¹³⁵ Some government officials at first denied any boundary error at Haiari Creek and claimed they did not know of such a creek. In 2015, however, it appears the government did accept such mapping and land allocation errors had taken place (see 13 and 14 below).

In the other case, a large tract of village land was also excluded between Massowah Creek and Massowaki Creek (southern boundary) measuring 18 miles by six miles (108 square miles). Six large mining blocks cover this area, though mining is still at an early stage and the upper Massowah area is still untouched. The Government admits to this boundary error (see below).

13. **Title demarcation:** The Village requested demarcation since 2004, but the Lands and Surveys Commission (GLSC) reportedly told the Village each time that there was not enough funding as "*the Baramita title is so big.*" Government officials are also alleged to have once told the Village

134 The land tenure field visit did not see the original 2004 title document, which was reportedly held by a non-Baramita Carib. Its current whereabouts are unknown. The title description in this report is based on a photocopy of the title document held by the Village Council. This study could not obtain a large-scale map of the Baramita title, despite repeated formal requests for a copy of the Baramita map submitted by APA to GLSC and the former MoAA in 2013 and 2014.

135 APA trip report, February 2015

that the money for a Baramita demarcation exercise could be better spent doing *“four normal Amerindian Villages with smaller titles.”*

The Village Council found major problems with the title boundary, which reduced the title area by at least 150 square miles (see 12 above). Since 2011 the Village Council repeatedly asked GLSC and the former MoAA about these boundary problems. The Village Council paid for its own mapping project to confirm the title boundary and GGMC's land allocation errors, and sent the results to the authorities in 2012.¹³⁶ In several Village General Meetings held at the end of 2014 and early 2015, residents again confirmed collectively that they wanted the demarcation issue to be resolved fairly and with full transparency and agreement with the Village.

In January 2015, the GLSC informed the Village that it would be starting the process of demarcation on 20th January, but villagers replied that they first needed to see details of the specific boundaries to be demarcated to allow proper review and preparation of the Village Council, community guides and advisors. Through these VGMs, residents agreed to use Village Council funds to contract an independent land surveyor to advise the village and accompany the demarcation process. This professional was hired in February 2015 and confirmed that serious boundary errors must be corrected at Haiari and Massowaki. A GLSC team started work along with local village guides and the independent surveyor in the same month within the framework of the Amerindian lands Titling (ALT) Project.



14. Demarcation suitability: Reports show that demarcation was conducted at Haiari and Massowaki in February and March 2015 and residents say that it mostly went according to plan, though concerns remain over an apparent loss of 4.5 square miles at Haiari Creek. Local guides complain that surveyors did not reach the head of Baramita Creek in the western part of the title area. The same problem occurred in the Kalicu part of the title. The government reported in 2016 that the demarcation exercise was complete. This study has not been able to verify this information and does not have updated information on resident satisfaction with the boundary demarcation. Some residents report that GLSC surveyors involved had limited knowledge of the Baramita area.

15. Extension status: N/A

16. Extension description: N/A

17. Extension justification: N/A

18. Response from government: Despite earlier dismissive and offensive responses to community concerns about their title boundary, a former Minister of Natural Resources told villagers at a public meeting held in Baramita in 2013 that the boundary errors were mistakes that could be corrected. He also reportedly said that the question of mining blocks in these disputed areas might be looked at, but made no firm commitments to resolve the matter. In a further visit by

¹³⁶ The Baramita Village Council mapping work was done by an Amerindian mapper trained in the 1990s by APA.

MoAA to Baramita Village in January 2015, officials expressed willingness to correct boundary errors.

19. Land and resource conflicts: Baramita is overrun by miners. The exact number of coastlander, Brazilian and Venezuelan miners within the Baramita title is not known. The VC did not know until it saw the GGMC map (brought by the land tenure assessment team) that the whole of Baramita is apparently a State Mineral Reserve. A Russian mining company had two prospecting permits (PLs) on titled land and had applied for a further two PLs, but these were rejected by villagers in a large public meeting in 2013. Villagers estimate that there are at least a thousand miners presently working 36 dredges. Only 22 of them have the written agreement of the Village Council but they don't have to comply with any conditions at all except pay minimal royalties of 6% of production. In 2013 only six of these operators were paying these royalties to the Village Council. Meanwhile, villagers complain that the companies that do pay royalties often underreport their gold production and short-change the village. Royalty payments are not written down and other villagers don't know how much money is going into the village funds. There are dozens of large mechanical excavators and six huge dumper trucks working inside the title as mining techniques shift away from small and medium-scale dredge operations to large open-cast mines. Mines are serviced by large access roads that criss-cross the forest destroying creeks, hunting trails and farmlands. An unknown number of miners and pork knockers are on titled land without permission. Some do not register with the VC on arrival and come and go as they please, often entering village lands by backtracks to avoid detection.

Several companies have expressed interest in logging in the Baramita title area, but the Village Council has so far rejected their one-sided proposed agreements. The companies have returned several times to pressure the village to reconsider, but until now they have resisted these advances.

20. Human rights violations: Serious human rights violations associated with the mining industry are common in Baramita. Abuses and atrocities include:

- i. Sexual violence and suicide: Women in the village and roads and trails are sexually assaulted during the day or night. Rapes are common, and villagers say many more go unreported as victims are afraid or ashamed to speak out, plus many are unable to speak English. There are high suicides rates (mostly by hanging) among Baramita-Carib young people and adults, with at least 30 suicides recorded since 2006.
- ii. Apparent homicide and mutilation of victims (mostly young women): evidence that came to light in 2015 suggests the deaths of several community members were not suicides, but possibly unlawful killings. The perpetrator(s) have not yet been brought to justice.
- iii. Abuse and corruption by the police service: The Village Council wants government action to address sexual violence and social disorder.¹³⁷ Villagers complain that the police are themselves guilty of serious abuse and corruption, including the rape of Carib women in police cells in the Village:

In this last ten years especially there has been a huge influx of miners into Baramita. The people are being torn apart! Carib women live in fear and there are savage rapes and terrible violations. A young Carib mother was gang raped by seven men just this week (on a visit to Port Kaituma). Now she has died from her injuries. A lot of people are dying from HIV aids. And Carib people are killing themselves in despair as well. Just the last two months there have been four suicides. If this madness is not stopped we will witness the extinction of the Caribs in Baramita in the next 20 years. It is time to expose what is happening! [Village resident, 2013]

The police are also doing wicked things. One time, the police took a Carib woman who was drunk and put her in the cell and then the police was sexing she all night.

137 "Ministry instructs Baramita Cops to adopt zero tolerance on drugs, noise and nuisance" *Stabroek News* 12th June 2013

Raping she right there in the police cell! When she come out she upset, but is too afraid to make a report and she speak no English. [Village resident, 2013]

These human rights abuses were still happening in 2014 and 2015 as verified during further APA visits and attendance at public meetings held in Baramita in December 2014 and January 2015.

- 21. Land security:** Coastlander miners are putting pressure on the Village Council to give them plots of land for housing, more rum shops and guest houses, and land has allegedly been illegally 'sold' to coastlanders by corrupt leaders without the knowledge of the villagers and other members of the Village Council. Villagers are concerned that further expansion of mining will erode their land, destroy the few areas of fertile farming and healthy forest that remain and overwhelm their population with outsiders who are not welcome.

We have had many public meetings and the residents say that they don't want no more coastlanders here ...Land is passing to the coastlanders without the knowledge of the Council...but the people say that we do not want to live between coastlanders. That is why our foreparents is living here far, to get away from them and now they taking over we place. [Resident, October 2013]

- 22. Livelihoods and environment:** Some of the miners stop the villagers from going hunting and fishing, and they sometimes stop villagers punting in their blocks. Villagers say that the miners tell them it is to avoid accidents. Nonetheless, villagers are very concerned at limits on access and do not like armed guards around some of the larger mining camps. Villagers report that mining has caused serious damage to hunting, fishing and farming grounds making it harder to get food. Many residents also report a serious increase in malaria due to mining. Large excavators have badly damaged creeks and rivers, and have changed the course of rivers in some places e.g. the Baramita River has been diverted in at least four places according to some residents and witnessed by the land tenure assessment team.

The Barama River is all dirty now and the fishing is not good. The water is dirty, dirty, dirty. It is sheer slush! On one Baramita branch, the creek from below the head is all mashed up and polluted by mining. The machines have diverted the course of the River in four or five places at the Winston Baird Backdam. [Resident, 2013]

I feel bad about this mining all over we place. It is not like before when we could get meat. I am not feeling good about it. The land is getting smaller and the miners are not letting we walk to do punting. If we go punting in those places, then they carry the police to put we out of there. We are not free on our own land. They are greedy bad. [Resident, 2013]

Baramita has the second largest land title in Guyana, yet hunters and fishers say that, because of the mining disturbance, they must go far away outside the title boundary to find plentiful game and fish (e.g. to Kuyuwini area in the Upper Barima catchment). Fish caught in many creeks and rivers like the Barama are said to taste bad and are contaminated with oil, diesel and mercury.

Regarding fishing and hunting, it is very difficult. In times gone by it was much better than this as we could get plenty meat and fish. But today it is hard, hard, hard and we have to go far to hunt and fish...the damage to our land in our eyes is very bad. Sometimes when it happens we have to go to the shop to get food. You know our lives get so hard with the extinction of meat and fish nearby. [Resident and huntsman, October 2013]

Some families are even short of food as only some are doing farming and others rely on gold and shops, so they are forced to hustle. People are also short of meat and fish, which have become scarce. Villagers sometimes do not have money to buy, while at other times the shops don't have fish or meat to sell. Villagers say that only the Warapá River, near Baramita Central Village, is still fit for fishing, yet miners are pressing the Village Council to allow them to mine along this creek.

**Those miners is pressing we to mine in Warapá, but we telling them that is we creek!
You cannot mine in there! It is still clean from the head to the mouth and we want to
keep it that way.** [Village Councillor, October 2013]

23. Recognition and measures sought:

- a. Residents demand reforms in national laws so that their *"...lands and rights are better protected from mining, logging and development. There must be stronger laws to make sure we are consulted about government plans. Things have to change as we seem to have little authority over our resources."*
- b. Residents demand that demarcation is completed to the satisfaction of the Village, and that maps of their titled land are corrected to meet the title description.
- c. Villagers also call on government to cancel all the mining blocks within their titled land that do not have approval of the Village.
- d. The Village Council and the public also demand that the perpetrators of crimes and human rights violations against residents be brought to justice.



5.2

REGION 2

“Our existing title area is the same small piece recommended by officials in the A.L.C report. It is not the area we requested. Our foreparents asked for collective title to large areas of lands together with other villages because they foresaw the conflicts taking place today. There are restrictions now in places where villagers has always used, which cause conflicts with forest concession people and with neighbouring villages...” [Elder and resident of St Monica, 2012]

“If the government wants to preserve the forest then why is it bringing in more outsiders to mine and log the forest?...We are not destroying the forest yet they want to limit us.” [Resident, Akawini Village, 2013]

“Looking at the land rights question, indigenous peoples in Region 2 and Region 1 need to work together. It is time the villages got back in one place again to agree boundaries and look for collective solutions to our extension applications. We need to share our extension areas as we have always done according to our traditions.” [Toshao, Akawini Village, 2015]

“We have no freedoms outside our title area. Words are not enough to describe how we feel about this state of affairs.” [Resident, Bethany Village, 2012]

“Toshaos have never been free to air really what they think. They have always been under pressure from governments to say what they want them to say and to sign documents saying everything is OK. ... Today many of them have to toe the party line, but this means they can't represent the people properly so we need to depoliticise Amerindian issues.” [Resident, Kabakuri Village, 2012]

“During the demarcation our Village had objected because the title area had never included the area applied for to the Amerindian Lands Commission. Villagers were told by Minister Rodrigues who had come into the village prior to the general election in 2001 that we should ‘accept the demarcation and shortly we would get an extension.” [Resident, Mashabo Village, 2013]

“The thing that bothers me as a community member is that when they are doing political campaigns they come in and say vote for us and we will settle your land issue and when they get in to office they forget about Amerindians.” [Resident, Mashabo Village, 2013]

5.2.1

BETHANY

Key findings:

- A land title is held, but villagers are not happy with it as it excludes key areas of their customary land.
 - Important farming grounds and seven homesteads lie outside the existing land title.
 - Community hunting and fishing grounds and cultural heritage sites also fall outside the title boundary.
 - The Village has never been consulted on logging concessions issued on its untitled customary lands and does not have any maps or other information on such forestry operations.
 - The Village requested a title extension in 2003.
 - The Village is included in the ALT work programme.
 - An ALT investigation team visited the village in November 2014, but the extension application remains pending in 2016.
-

1. **Location:** Arahuria Creek flowing into the left bank of the Supenaam River eight miles from its mouth in Pomeroun Supenaam District, sub-region 2, Region 2.
2. **History:** Residents have diverse origins. Some families moved to Indiana from the Demerera and Essequibo River where they had been living since the nineteenth century (e.g. at Bok Hall). They later moved to Chalk Hill and then to Tapakuma. After a serious epidemic killed many people living around the Tapakuma Creek, they moved to the present village site when the mission was established in the 1940s. Amerindian families as well as a Dutch family (Van Lang) were already living on the mission site for a long time before the arrival of the church. The founder families of the mission settlement include Paton, Henry, Williams, Couchman, Richards, Russel, James, Cobis, Daniels, Abrahams, Morgans, Jeffery, Wilson and Dyer.
3. **Main neighbouring communities:** Mashabo.
4. **Estimated population:** 492 (95 households) (2013).
5. **Identities of residents:** Mainly Arawaks with some Carib families.
6. **Local government:** A Village Council with a Toshao and six councillors.
7. **Land use and economy:** Several homesteads are on the left and right banks of the Supenaam River (on titled and untitled customary land). Farming is small-scale and limited to subsistence crops. Some gathering and hunting grounds are far away at the head of the Supenaam River outside the title. These grounds are shared with Mashabo and other Amerindian Villages including around Massouria Creek, a tributary of Arahuria Creek. The Village holds a State Forest Permit (SFP) near Patawau Creek on the upper Pomeroun. White sand for local construction (not commercial extraction) is dug from the Arahuria Creek area. Important cultural and historical places and former settlement sites of the ancestors of village residents are found at Indiana, Chalk Hill, Tapakuma, Hobodi, Lemona, Paiparo and Hanover – all outside the existing land title.
8. **Community projects:** The VC had a proposal to increase cassava cultivation in the village, but in 2013 the project had not been approved and the government had cut the budget. The Village

Council also has a general vision of shifting the village economy away from logging towards agriculture.

9. **Institutions and services:** There is a primary school, two nursery schools and a Health Centre. Secondary school students attend schools on the Essequibo Coast.
10. **Current land title status:** Title held (17.18 square miles). The title was received under the 1976 Amerindian Act and in 1991 under the State Lands Act.
11. **Existing title description:** "The area commencing at a point on the left bank Supenaam River about 1 ½ miles below the mouth of the Arahuria River, thence north along the watershed between the Arahuria River and Tapakuma Creek, thence west along the watersheds of the Arahuria and Ituribisi Rivers, thence south along the watershed between the Sekenaam and Sekeleli Rivers to the Supenaam River, thence down the Supenaam River to the point of commencement."¹³⁸
12. **Title suitability: Inadequate.** Bethany's submission to the ALC in the 1960s requested a tract of land: "From mouth of the Tapakuma Creek, left bank Supernaam River to the Kairuni Creek 5 miles on both banks of the Supernaam River."¹³⁹ The existing title does not extend to the Tapakuma Creek or to the Kairuni Creek, where there are several homesteads, and villagers are indignant its recommendations to the ALC were ignored. They have always said that the titled area should cover both banks of the Supenaam River to include former settlements and important farming, fishing and hunting grounds, plus traditional sites and resources such as Chalk Hill, Indiana and the former mission at Tapakuma.

Elders remembering the ALC process say that, after an initial visit by the team, the commissioner visited every three months and gave verbal assurances that the Village would get title to all the land requested. Residents were never consulted about the final decision and only found out when they read the title description in the Schedule of the 1976 Amerindian Act. The exclusion of community lands from the legal title has enabled non-Amerindian farmers and logging concessions to occupy the right bank of the Supenaam River while the Tapakuma area is leased by the Guyana Lands and Survey Commission to an outside concession holder. Villagers find their land use is limited; compelled to remain within the boundary, they no longer feel free. Families outside the title have not benefitted from Village programmes such as solar systems, and the government says they are not allowed to vote in Village elections, though they are still allowed to hunt, fish and log in Village lands. The villagers feel very attached to their untitled customary lands because the areas in the Chalk Hill, Indiana and Tapakuma are places of special spiritual and cultural importance for the villagers. Those residents living outside the title feel strongly they should have been included in the title boundary.

13. **Title demarcation:** Carried out by GLSC in 1998/99 and complete. Villagers recall that the GLSC did hold meetings with the Village prior to demarcation. However, villagers complain that at no point were the people and VCs of Mashabo and Bethany brought together to discuss their shared boundary before demarcation.
14. **Demarcation suitability:** Adequate. The GLSC were making errors so the then Toshao stepped in and corrected their work to make sure that they started the boundary at the right point. Village leaders note: "*If our former Toshao had stayed quiet, part of our land would be out of the title and be part of a forestry concession now.*" Villagers point out that while the main key boundary points are named correctly and in the right place on the title map, a number of smaller creeks are unnamed e.g. Oriabo Creek, Black Creek etc. They also note that the starting point of the boundary in the original description is unclear because it doesn't use a natural land mark and uses the term 'about' one and half miles below the mouth of the Arahuria River.
15. **Extension status: Applied for, but unresolved.** Former Toshao Wendell Thomas delivered the application to a former Minister of Amerindian Affairs in 2003. The proposed extension

138 Schedule to 1972 Amerindian Act

139 Report by the Amerindian Lands Commission (1969) Georgetown, Guyana at 112



was approved beforehand in a Village General Meeting, but the Village did not consult with neighbouring villages. The Village now recognises the need for inter-village discussions to reach agreements, as it is possible that extension application proposals may overlap. When residents asked about the extension application during the Minister's visit in 2006 the reply was that if the government could find another place for the forest concession holder, the community could have the land on the right bank of the Supenaam as part of their extension. Later the regional government claimed that it had lost the extension application papers and advised the VC to re-apply. In 2010 ex-Toshao Wendell Thomas again raised the extension of lands for Bethany Village at a meeting of the National Toshaos Council. The Minister of Amerindian Affairs said they would look into the matter.

The village was included in the ALT work programme in 2013 and an ALT investigation team visited Bethany on 3rd to 5th November 2014. The team noted that the requested extension covers an area where 14 families are living and farming and it overlaps with six SFPs issued to non-residents before the application for extension.

A GFC official on the ALT visit told villagers that these SFPs cannot be relocated. The investigation team has not put forward any clear solution or recommendation and the status and geographic scope of any extension is still uncertain in 2016.

16. Extension description: "The area commencing at the mouth of the Tapakuma Creek to its source thence north to the common boundary between Bethany and Mashabo villages thence west along the boundary to the source of the Kairuni Creek; thence down the Kairuni Creek to its mouth (left bank Supenaam River), thence up the Supenaam River to the Hymaracabra Creek (right bank Supenaam River), thence up the Hymaracabra Creek to its source; thence in a easterly direction along the watershed to the source of the Aratak Creek, thence down the Aratak Creek to its mouth (right bank Supenaam River); thence down the Supenaam River to the point of commencement."

17. Extension justification: The villagers feel a strong attachment to the area over which they seek recognition and all of the said area is vitally important for their livelihoods and the collective cultural needs of the community.

18. Land and resource conflicts: There are logging concessions on the western boundary of the Village title between the Kairuni and Sekeleli Creeks in the area identified for title extension. These concessions have caused various conflicts with the community in the past. In 1993-5 a dispute with a logger partly stemmed from the actions of a local GFC official. The then Toshao Linda Russel sent a complaint to the President and the dispute was resolved after it became clear that the GFC official was trying to mislead the Village and make them think the title area had been reduced, to further his own investments in the area. In 2010 another conflict arose when community members found surveyors from GFC making a boundary with a concession owner. This matter was partly resolved by Toshao Thomas who arranged a buffer zone between the community boundary and the concession.

Non-Amerindian people occupying the right bank of the Supenaam River block villagers from going there to fish, hunt and gather, obliging them to travel long distances to creek headwaters. People linked to Guyana's ruling class hold concessions in the Yariyapima area from Aratak Creek to Hymaracabra. The Barama Company's logging road crosses the Hymaracabra and Aratak. The Tabakuma area is also now apparently in the private hands of outside business people. All these places are Village customary lands included in the proposed extension. Some theft of lumber also happens as outsiders enter Village lands to cut trees and take lumber out along the road that runs between the Village and Mashabo. Loggers from Mashabo also occasionally encroach on Bethany's land.

19. Land security: Villagers do not feel that their traditional lands are secure as their livelihoods and land rights are severely restricted. As one resident explained:

The concession holders do not allow us to use forest resources for our traditional activities. One logger man has said that he 'won't allow no buckman to cut no hook rod'. [Resident, Bethany Village, 2012]

20. Livelihoods and environment: Fish and animals are now very scarce and residents report it is very difficult to find *labba*, deer and other game close to the community, while in the past it was plentiful. The only fish that are plentiful are hard head and *larima*. Villagers report that they have to go very far up the Supenaam River (both banks) and beyond the boundaries of their title to hunt and fish. Residents explain that their ability to make a living is reduced because they are no longer free to go wherever they wish to hunt, fish and cut timber. Logging is an important economic activity in the community, but lumber has been overharvested due to the limited titled area and concessions occupied by non-residents on customary untitled lands. There are no commercially valuable hardwoods (purpleheart, greenheart, walaba) hardwoods any longer in the area. Loggers are working very young trees or lesser-known species. The VC now wants to impose a larger size for the allowable cut e.g. 30 cm diameter. Persons found cutting smaller sizes will be fined GY\$50,000 and suspended from lumbering for three months. The Village is also planning to create a lumber reserve area around Mobia (a branch of the Arahuria Creek).

Villagers complain that logging concessions surround them and they are restricted to their own limited titled area where resources are already scarce. Villagers are worried about the increasing control of GFC over their land and resource use. They are especially upset about GFC imposing restrictions within their titled lands and requesting that all tree stumps are tagged. Villagers who comply with this feel that they are unduly harassed, while large loggers who practice illegal logging have no problems.

Residents are also worried by apparent GFC plans to regulate forest use on all private lands in Guyana with a code of practice for private land that would include indigenous communities. The code is likely to be similar to those for a SFP, which gives GFC excessive control of how villagers manage timber on their own lands. Villagers voice concerns that the new code might 'squeeze' them with new rules linked to the Low Carbon Development Strategy (LCDS)

The requirement of the GFC asking we to tag all our trees that we cut and fining you GY\$10,000 if you don't is very unjust. It is not right to ask we selves to do all this



tagging within we own title: it bothers my brains as it is a kind of control within your own land. [Bethany Resident, 2012]

Barama Company's logging operations¹⁴⁰ affected water quality in the rainy season as its logging road crosses the Yariyapima, Haymaracabra and Aratak Creeks. Villagers are also concerned about a new dam built in the Tun Wood area as part of a polderisation project advanced by the regional government. The dam flooded about 50 acres (20 hectares) and the community has noticed an increase in water-borne diseases such as malaria, dengue and typhoid. They complained to the Regional Democratic Council (2012) and the NTC (2012), but government has not shown any signs of action; they have simply said "it is a very big job". The dam has also caused a lot of environmental damage as all the trees in the flooded area are beginning to die off. Villagers consider that the government ignored their alternative proposals for this project.

21. Recognition and measures sought:

- a. Residents urge the Village Council to follow up the proposed extension and enforce the new rules on logging.
- b. They want young people and the Village Council to be trained in land rights, their legal options and the history of their own people, and they want the village as a whole to diversify its economy so they are not dependent on logging and government hand-outs.
- c. They call on the government to process the extension application to the satisfaction of the Village with no gaps and no further reduction of Village lands.
- d. They also ask the government to cancel all third party concessions and leases on Village lands requested for extension.
- e. They would like the government to provide more support and investment in farming to improve food security.

140 By November 2016 Barama Company's concession had expired and the government had not renewed it.

Key findings:

- Villagers have a title, but do not consider it to be adequate.
- Several farming grounds are outside the title area.
- The Village submitted an extension application in 2001, and again in 2008 and 2009.
- The Village has conflicts with loggers who prevent villagers from hunting, fishing and gathering on their untitled customary lands.
- Loggers have cut roads through community lands and pass through Village land without permission, damaging their property.
- Loggers regularly threaten and harass villagers.
- The Village never gave its consent to any forestry operations on its untitled lands.
- GFC has never consulted the Village about concessions on their customary lands next to the titled area.
- Mashabo's title extension is included in the Amerindian Land Titling (ALT) work programme.

1. **Location:** Mashabo Creek (right bank), flowing into the Ituribisi River (right bank), left bank Essequibo River, about four miles from Essequibo Coast Public Road, Sub-region 2, Region 2.
2. **History:** Amerindians occupied the Village and its former settlement sites since at least the early 1800s. Founder families of the mission village site include the Macturks, Abrams, Daniels, Williams and Allicocks.
3. **Main neighbouring communities:** Bethany and Capoey.
4. **Estimated population:** 401 (89 households) (2012).
5. **Identities of residents:** Predominantly Arawak with some Warrau and Carib households.
6. **Local government:** A Village Council with a Toshao and six councillors.
7. **Land use and economy:** The main Village has several satellites and outlying homesteads including Mashabo Mission (Mebih, Wadadori, Ira Backdam, Hosanna, Komakai, Kaibari, Hobodi and High Hill) ranging from two to 10 homes. One of the main occupations of residents is logging. Most villagers hunt much less than before because they rely more on logging, and because logging and poachers on Village lands have reduced the game population. Residents say that the Tapacuma conservancy dam for rice farming has made it more difficult for them to use coastal resources and logging concessions have limited their use of customary land outside their title (Yarrow Creek and the 'Gulf'). Residents also complain that they are no longer free to use lands on the left bank of the Ituribisi because this area is outside the land title. Hunting grounds along creeks on the left bank of the Ituribisi (Lamuna) are shared with Capoey Village, and around Yarrow Creek and the Gulf areas with Bethany Village. Gathering grounds in the head of the Supenaam River are shared with Bethany, St Monica, Kabakaburi and Pomeroun Villages.

8. **Community projects:** Projects in 2013 included the construction of a bridge from the old mission to the housing scheme, a community housing project funded by Food for the Poor as well as poultry, aquaculture and a hydroponic agricultural scheme.
9. **Institutions and services:** Mashabo has a primary school and a nursery school. Secondary school students attend school in Aurora on the Essequibo Coast.
10. **Current land title status:** The Village holds a land title covering 17.11 square miles. Title was granted under the 1976 Amerindian Act and in 1991 under the State Lands Act.
11. **Existing title description:** “The area commencing at a point on the right bank Ituribisi River opposite Ikuraka River, thence south and west along the watershed between the Ituribisi and Supenaam Rivers to a point opposite the source of the Truli River, right bank Arapiaka River, thence north to the source of an unnamed creek, right bank Ituribisi River, thence down the said unnamed creek to its mouth, thence down the Iturisi River to the point of commencement.”¹⁴¹
12. **Title suitability: Inadequate.** Villagers point out that the existing title leaves out customary lands on Yarrow Creek, and lands and homesteads at Lake Ikuraka and the left bank of the Ituribisi River. Villagers recall that they requested the ALC review to include areas around Lake Ikuraka and along the Ituribisi (right bank) in the title. Before independence, residents recall that the Lake Ikuraka area was clearly marked as an Amerindian Reservation. One elder (Ben Abrams) remembers an outpost on the left bank of the Ikuraka Lake. There was also a pole at Yarrow Creek. Although the ALC supported the Village request, it ended up recommending a title description that only covered the right bank of the Ituribisi Creek and left out Lake Ikuraka.¹⁴² The title excludes important historical sites including former settlements and cemeteries, and Ikuraka Lake, which according to local knowledge is inhabited by water spirits (see 18 below).
13. **Title demarcation:** Conducted in 2001 and complete, but residents report it has caused boundary problems between Bethany and Mashabo that are still unresolved (see 14).
14. **Demarcation suitability: Inadequate.** Residents consider that the demarcation of the existing title is not correct. They protest that, during the GLSC demarcation, surveyors mistook a branch of the Massari Creek for the unnamed creek (Towarinu) in the title description. The creek is not named by villagers, but is known to be a black water creek and people know its location. As a result, the demarcated western boundary follows the Massari Creek instead of the said unnamed creek, cutting out the area between the two creeks. Villagers feel that the surveyors should have used local information to make sure they cut the boundary correctly. They also complained about the survey and demarcation line along the joint boundary with Bethany Village. The GLSC came to review the situation but only visited a small area and only one villager accompanied them. As a result of this official GLSC review, the two communities agreed to use the tractor line as the boundary between their Villages with the understanding that the ridge was the real boundary line. Under the terms of an internal agreement Mashabo would continue to use forest products within the tractor line and the ridge, but the agreement fell through. Mashabo residents are unhappy that the use of the tractor line as the boundary has resulted in Bethany acquiring land that Mashabo cannot use. This survey could not get any update on the situation in 2016.
15. **Extension status:** Applied for and reportedly being processed under the ALT. Former Toshao Francis Charles submitted an application letter to MOAA in 2001, and the VC sent another follow-up letter in 2006. In 2008, following full public approval in a Village General Meeting, Silvin Raphael re-submitted a further application. The Village did not receive replies to the first set of applications but finally, in 2008, the former MoAA responded asking for a map, proof of an agreement in the VGM and justification for the application. The Village sent all the required information to the MOAA in 2009. The Village Council was then told verbally that its extension would be dealt with on a ‘first come, first served basis’ but it never received a formal written

141 Schedule to the 1976 Amerindian Act.

142 *Report by the Amerindian Lands Commission (1969) Georgetown, Guyana* at 113

response from the former Ministry. The VC reports that in their meetings with three former ministers the Village was 'promised' that if they occupy the area they are entitled to it as an extension. In 2013, residents expressed their continued frustration with these inexplicable delays:

...to get our rightful land back is a whole push around. We have all kinds of rules and regulations just to get our own land back. The first Amerindian Minister promised us we would get our land back, the second minister did the same, then [the third minister] came into office and said the same thing. We try to follow the rules and regulations, but to date all we get are promises. [Village resident, 2013]

Although the Village received no written update, it was included in the final ALT work programme in 2013. In 2016, the government reported to the NTC Conference that the extension boundaries between Mashabo and Capoey had been agreed and communal lands 'divided' with mediation by GLSC. This study has not been able to find out whether the VC and residents are satisfied with the agreements reached.

- 16. Extension description:** The approximate area requested is as follows: "Starting at a point from the source of Tounema Creek at the eastern boundary of the Lake Ikuraka heading westwards to the right bank of Ituribisi Creek, and on to the mouth of unnamed black water creek then using the existing boundary, but extending to the area known as the Gulf encompassing the headwaters of the Yarrow Creek." Residents report that they have not yet consulted or agreed this proposed area with neighbouring villages.
- 17. Extension justification:** Homesteads and farmlands on the left bank Ituribisi and at Lake Ikuraka were left out of the existing title as well as customary lands in the same areas and at Yarrow Creek/Gulf. The Village also has a growing population and needs more resources.
- 18. Land and resource conflicts:** In 2002, shortly after demarcation, loggers at Massari Creek exploited the mistakes in demarcation accusing villagers of working outside their titled lands and claiming it was their land. This conflict was then resolved by GFC who used GPS to show that the area was within Mashabo title and was simply an error by surveyors during the demarcation. A neighbouring logging concession owner intimidated villagers passing through his concession or using it for traditional practices. The Village did not give the logger permission to use its road, but he bulldozed the gate the Village had build to prevent entry of outsiders. He



argued that the road is public access despite the fact that this was an old trail made by Mashabo residents and later converted into a road for building the conservancy dam. After continuous disputes, GFC clarified that the logger required a permit to use the village road or must make his own separate road. The logger did make a road, but then continued to use the route through the Village without a permit and without paying any toll to the VC.

The loggers harass us and threaten villagers. [One logger] seized their chainsaws claiming it was in his SFP (it was not in his SFP but adjacent to it). Eventually the chainsaws were returned to the owners who had threatened legal action. Only last week (Jan 29th 2013), he seized 10 square posts and he said he “don’t want to see them on the land even walking or even cut a wattle.” [Mashabo Resident, 2013]

The logging road made by the Barakat forestry company also passes through titled land from Capoey in the north cutting into Mashabo land in the Massari Creek area. Coastlanders frequently harvest *troolie* leaves on Ituribisi Creek without the Village’s permission, causing conflicts.

Villagers are extremely aggrieved about the dam project that has affected Lake Ikuraka, a site of special cultural and historical significance for them. The original name of the lake *corio’ha* means ‘home of the mother’ as water spirits are said to live beneath it. It is also known as the ‘hot and cold’ lake as there used to be a sandbank where people would wash in waist-deep warm water. People used to come from far and wide, even by water plane, to bathe there. People feel very attached to this place and are upset that the dam has destroyed this area.

19. Land security: Villagers consider that their title is inadequate and they don’t have security on their own lands. They feel restricted by their boundaries and are unable to hunt, fish and log on the customary lands on the left bank of the Ituribisi and in the ‘Gulf’ area. They are aggrieved that loggers occupy their customary lands. They feel strongly about their customary lands as they have used the forest there for generations, long before they were restricted to their present land title.

20. Livelihoods and environment: Residents complain that their livelihoods are undermined by commercial loggers occupying their customary lands and stopping them from going to community forests and waters (see 18). Logging is also damaging forest resources. All valuable hardwoods are logged out, and now people are taking ordinary species like monkey pot and *kacaralli*. The local conservancy dam (see 18) prevents direct access to the sea for sea fishing and disturbed the currents in the lake, which is no longer hot and cold. The dam also flooded savannahs and creeks. Hunting resources have declined in recent years. Villagers say that birds like the *powis* (black curassow) are very scarce because loggers have cut down fruiting trees such as pigeon berry and *tawanero* trees. Poaching has also depleted game stocks.

21. Recognition and measures sought:

- a. Residents ask the government to quickly resolve their application for title extension in a fair manner to the satisfaction of villagers, including legal title to all lands requested by the Village during the ALC process and in subsequent submissions.
- b. The government should cancel and/or modify the boundaries of any third party concessions or leases that overlap the proposed extension area of the Village.
- c. Residents call on the government to end party-political use of indigenous peoples’ land issues as an election tool.

Key findings:

- Capoey has a land title, but it excludes key customary lands that the Village requested during the ALC process in the 1960s.
- Residents perceive that errors made by government surveyors during the demarcation process have further reduced the area of land legally held by Capoey.
- Homesteads at Mary Point are outside the existing land title.
- The Village Council no longer has the records of the title extension application, and there is some confusion about where the extension process has got to.
- GGMC requires the Village to pay royalties to GGMC for extracting white sand within their title area.
- Forest, fish and game are scarce within the titled area and people have to go outside the title to get resources.
- Water shortages are common in the dry season as the lake is drained by irrigation for rice.
- The Village is included in the Amerindian Land Titling (ALT) work programme.

1. **Location:** Banks of Capoey Lake, Essequibo Sub-Region, Region 2.
2. **History:** Residents say that the Village was occupied by their fore parents at least since the early 1800s. The founder families of the modern Village site are the Gordons, Williams, Rodrigues (Carter), Francis and Edwards (Abrams).
3. **Main neighbouring communities:** Tapacuma, Mainstay and Mashabo.
4. **Estimated population:** 523 (135 households) (2013).
5. **Identities of residents:** Arawak, Carib and mixed Amerindians.
6. **Local government:** A Village Council with a Toshao and six councillors.
7. **Land use and economy:** Up to half of the titled land is unfertile *muri* bush. Residents grow ground provisions, plantains, fruits, cassava, pear, pineapple and vegetables. Untitled hunting grounds nearest to Tapacuma and Ikuraka Head are shared with the villages of Mainstay and Tapacuma. Residents hunt and gather craft materials in the area around Para head, which falls outside the flawed demarcation line (see 14 below). Important fishing grounds are Para Creek and Capoey Lake.
8. **Community projects:** In 2013 the Village was running a boat transport project for school children, and also working on eco tourism and a small 'factory' for processing seasonal fruits.
9. **Institutions and services:** The Village has a nursery school and primary school as well as a health centre. Secondary school students travel daily to attend schools on the coast including Abrams Zuil, Anna Regina Multi and Cotton Field.
10. **Current land title status:** A land title covering 23.024 square miles was granted under the 1976 Amerindian Act and in 1991 under the States Land Act.



11. Existing title description: “The area commencing at the mouth of the Paray River, left bank Tapakuma River, thence up the Paray River to its source, thence south-south-east to the source of the Ikuraka River, thence north-east to the south eastern corner of the Capoey Lake, thence along the eastern shore of the Lake to the main drainage canal, thence north by west along the main drainage canal to a point opposite the south-western corner of Columbia estates, thence west by south to the point of commencement.”¹⁴³

The 1998 demarcation map describes the title area as follows: “The area commences at 12ft off the western embankment of Tapacuma main canal, opposite Colombia Affiance sideline dam and proceeds thence in a northerly direction to the north eastern corner of Capoey Lake, thence along the eastern shore of the Capoey Lake to the south eastern shore of the said lake, thence to the source of the Ikuraka River, thence to the source of the Para River, thence along the eastern bank of the Para River to the mouth of the Para River, thence to the point of commencement.”¹⁴⁴

12. Title suitability: Inadequate. The Village identified Yehshikaira as a traditional boundary, but it was excluded from the title issued by the government in 1976 and 1991. The area of 50 square miles requested in the ALC report was thought necessary due to the poor soil quality, but the Village received less than half of the lands requested. In the end, homesteads and families at Mary Point were excluded from the title, which is a major unresolved problem for the community. Villagers are most unhappy that some of their customary lands and Capoey Lake were left out of the title. As with almost all other Villages in Guyana, the title area and description was not subject to prior consultation and agreement with the Village.

13. Title demarcation: Conducted by GLSC in 1997 and completed in 1998. Villagers were only involved as survey line cutters. Prior to the work, GLSC sent a notice of intention to demarcate Capoey’s boundary. A councillor from Mainstay who did not have decision-making powers attended a meeting on demarcation in Capoey as part of a consultation with neighbouring communities.

14. Demarcation suitability: Inadequate. Villagers understand that while the demarcation map does follow the GLSC description, GLSC surveyors incorrectly used a branch of the Para River instead of the source of the Para River itself, thereby excluding the source of Para and the source of Ikuraka from Capoey’s demarcated land.

15. Extension status: The Village is included in the ALT work programme. Residents recall that the extension area was agreed in a VGM, but was not formally discussed nor agreed with neighbouring Villages. A copy of the application could not be located in 2013. In 2015-16, the GLSC reportedly enabled a dialogue and agreement between Capoey and Mashabo on their extension areas. The government was still considering the final descriptions and proposed extended titles in September 2016. This study has not been able to find out whether Capoey residents are satisfied with the proposed final extended titles.

16. Extension description: No information obtained.

17. Extension justification: No information obtained.

143 Schedule to 1976 Amerindian Act

144 GLSC 58120 Demarcation map, dated 12 Aug 1998

18. Land and resource conflicts: Mashabo had a 20-year legal battle to recover farmlands occupied by a non-resident. The court eventually ruled in favour of the Village and the land came back to the community.

19. Land security: Those residents living outside the title at Mary Point feel extremely insecure about their status and do not know whose lands they are currently living on. They are particularly concerned about their livelihoods as their farms are outside the titled land.

20. Livelihoods and environment: The use of heavy-duty commercial logging machinery and outboard engines has depleted game and fish stocks, while commercially valuable trees have become scarce. Residents complain they now have to go to neighbouring villages to hunt and fish. In the dry season, water quality in the lake drops as the water from the lake is diverted for irrigation to the rice fields owned by non-indigenous rice farmers. During this time, residents have to rely on rainwater collected in tanks but often this becomes scarce. The government has leased an area of the community's untitled customary land to outsiders for commercial rice farming. Farm pesticides seep into the lake and villagers are concerned as they use the water for drinking, bathing and fishing. Villagers want the leaseholders to be removed. The titled land has few forest resources and the soil is not good for farming. Residents don't feel they can produce enough food, and they depend heavily on groceries from the shop. The VC has been told that residents have to buy a licence and also pay royalties to GGMC for using white sand, even though the area of sand falls within the Village title.

21. Recognition and measures sought:

- a. Residents call on their Village Council to clearly identify and reclaim all traditional lands held by the community as well as lands excluded by the existing title and by demarcation errors.
- b. They also ask the government to process the extension application in an objective and fair manner, so that all genuine customary lands, including those claimed during the ALC process, are recovered by residents.
- c. Residents recommend that the NTC needs to play a much more active role in dealing with the land issues that all indigenous peoples in Guyana face and take more actions to compel the government to resolve these issues.



Key findings:

- St Monica has a land title, but it is too small and does not protect residents' customary land.
- Villagers are unhappy that much of their untitled customary land and forests have been handed out to outsider loggers under concessions/state forest permits (SFPs).
- Important traditional hunting grounds lie outside the title in the requested extension area in the Middle and Upper Issororo and Upper Pomeroun catchments.
- Several farming grounds inside the title are exhausted and there are important farming grounds outside the title (e.g. at Bat Creek).
- The satellite community of Bat Creek outside the land title does not have land security.
- Since 2004 the government has several times refused requests for title extension saying the area requested was too big and already occupied by logging concessions.
- The Village is included in the Amerindian Land Titling (ALT) work programme.
- In 2015, ALT officials told villagers that they could not have the requested extension in the Issororo Valley.
- Residents are not happy with this response and insist that the government deals with their request fairly and cancels SFPs in the extension area.

1. **Location:** Upper Pomeroun River, Region 2.
2. **History:** Villagers affirm that Amerindians, mainly Carib, occupied the site from at least the eighteenth century. The name of the largest settlement Karawab or Karimap means 'Carib Creek'. Founder families of the current Village include Miguel, Williams, Lewis, Courtman, Smiths and Hendricks. The Anglican school was established in 1940.
3. **Main neighbouring communities:** Kabakaburi and Akawini Villages.
4. **Estimated population:** 1151 (206 households) (2012).
5. **Identities of residents:** Mainly Carib with some Arawak and Warrau families.
6. **Local government:** A Village Council with a Toshao, Deputy and ten councillors.
7. **Land use and economy:** The two main settlements of St Monica (next to the mission) and Karawab are on high ground on the right bank of the upper Pomeroun River about 21 miles upstream from Charity, while smaller satellites and farms are located in the Issororo catchment outside the existing title. The largest settlement is Karawab (population 650 in 104 households), which lies within the title area. A smaller satellite community of Bat Creek (8 families, 49 people) is about a mile from the mouth of Bat Creek, left bank Issororo River, outside the existing title. There is also a homestead outside the title on the right bank of the Issororo River. Farming grounds at Yaiwaro are shared with residents of Kabakaburi on the eastern boundary of the Village. Hunting, fishing and gathering traditionally take place far beyond the existing title boundaries along the Upper Pomeroun River and Issororo Rivers and their tributaries. Hunting and fishing grounds on the Issororo include lands along Ant River, Yarrow Creek, Big

Kashingbang Creek and Tukwari Creek and reaching towards Macaw Mountain. Hunting and gathering grounds include the Aranamai River, Sambora Creek and Small Bush Cow Creek as far as Patuwau Creek on the upper Pomeroun. Coastal areas and the open sea are used for catching crabs and fishing. Cash income is from fishing, hunting, canoe making, paddle making, trapping, medicines, small businesses, work as public servants, sewing, boat building, carpentry, joinery, handicraft, masonry, transportation, farm produce and lumbering. *Nibbi* and *kufa* are cut for sale to local furniture industry on the lower Pomeroun.

8. **Community projects:** The Village is involved in projects for the polderisation of farmlands on the left low-lying bank of the Pomeroun River, school transportation (boat service), improvement of well water services and development of a community shop.
9. **Institutions and services:** The community has two primary schools: one in St Monica and one upriver at Karawab. Secondary school students attend schools in Charity and Anna Regina. There are health posts at St Monica and at Karawab. Schools have electrical power and there is a landline telephone service.
10. **Current land title status:** Title was granted under the 1976 Amerindian Act and in 1991 under the State Lands Act over an area of 85.5 square miles. The Village received certificates of registration in 1998 and 2010 from the Registry of Lands under the Land Registry Act. The latter certificate was seemingly issued to correct a past error in the area titled. The latest certificate records a title area of 85.459 square miles in two blocks, one on the left bank of the Pomeroun of 19.539 square miles and one on the right bank of 65.92 square miles.
11. **Existing title description:** "The area commencing at the mouth of Yaramai Creek, right bank Pomeroun River, thence up the Yawarami Creek to its source, thence south and south-west along the watershed of the Kairimap and Arapiako Rivers, thence north along the watershed between the Pomeroun, Kairimap Rivers and Tui Tui Creek to the mouth of the Issororo River, thence north and east along the watershed of the Pomeroun and Akawini Rivers, thence south along the watershed between Natubutura Creek and Wariwaru Creeks to the point of commencement."¹⁴⁵
12. **Title suitability: Inadequate.** The Village title was not consulted nor agreed with the Village, but simply granted according to the Schedule to the 1976 Amerindian Act. Villagers point out that today they only have title to a very small piece (85.5 square miles) of what their forefathers aimed to protect in a shared 'Greater North West Amerindian Territory'. 'Kairimap' was one of the lead villages requesting this territory jointly with other villages in the 1960s (see Section 3.3). Villagers recall that Capotani/Capachina (captain) Malachai Lewis made many representations on the land issue on behalf of the Village in the early 1960s. They complain that the existing title excludes large areas of traditional land used for farming, gathering, hunting, fishing and lumbering in the basins of the Upper Pomeroun and Issororo Rivers, including major river valleys and creeks such as Ant River (tributary of the Issororo) and Arunamai Creek (left bank on the Pomeroun River). Homesteads and farming grounds, notably those in Bat Creek, are also excluded from the title. Outsiders holding State Forest Permits (SFPs) now largely occupy most untitled customary lands and tend to block Amerindians from going there to cut *nibbi*, *kufa* and lumber. Some SFP holders also restrict access in some areas for hunting and fishing. Villagers feel that they are being "squeezed" and are now "prisoners" within their limited title boundary where many resources are already depleted.
13. **Title demarcation:** Conducted in 1998 and complete. The work was done by GLSC with the help of a local team from St Monica who cut survey lines. Thomas Charles, the Captain at the time, was involved in reviewing the boundary with GLSC. Knowledgeable villagers were also involved. Some GLSC consultations and discussions were held with the VC of Kabakaburi. It is not known if GLSC consulted with Akawini Village.



14. Demarcation suitability: The demarcation is consistent with the legal title description of the Village. Nonetheless, residents consider the demarcation has reinforced a flawed title that only secures a fraction of the land, forests and waters they have used and occupied over generations. Since demarcation, GFC has become much stricter about letting residents use resources on their untitled lands. The villagers are very unhappy about their freedoms being restricted in this way. Villagers are also concerned that the detailed description of the title boundary recorded on a 1998 demarcation map supplied by GLSC excludes 66 feet on either side of the mean high water mark of main creeks and rivers. Many creek names are spelt incorrectly, or are not identified on government maps, while many others are unnamed. Some creeks are also wrongly named on the government maps (e.g. Silver Fish Creek vs Big Bush Cow Creek).

15. Extension status: Applied for, but unresolved. When the former Minister of Amerindian Affairs visited St Monica-Karawab in 2004, the VC asked if the government would recognise village lands and extend the title along the Issororo River and the Arunamai Creek going up to the creek heads on either side of these creeks as well as along the Upper Pomeroun River as far as Patawau Creek. The VC handed the application personally to the Minister. According to villagers who were present, the Minister's response was negative, saying that much of those lands had already been leased to logging companies and so Amerindians could not take up this land. The Minister advised the Village to reduce the area requested to areas without logging concession holders. Officials recommended that village extension be confined to a small area covering just 18 square miles from the mouth of the Issororo up the Pomeroun River to Patawau Creek and thence up the creek to its source and thence back along the existing title boundary northwards to the point of commencement. Feeling pressured to reduce the area of the request, the Village Council reluctantly submitted a reduced area. The residents of St Monica-Karawab remain unhappy that the former Minister was not open to their proposal to have their wider traditional lands recognised. They feel this was unfair and a denial of their land rights.

We need the forest to survive. Now it is a big problem for us to get access to our own forests to work. We had asked the government for lands along the Issororo and Arunamai Rivers, but the government did not listen. Now we have nowhere to go beyond our present boundaries. [Village Councillor, 2012]

No formal written reply was ever received to the 2004 application. The VC followed up in 2011 at an NTC meeting and was told that the extension was "awaiting approval by Parliament." After being frustrated by these delays, residents welcomed the news that their extension was now in the work plan of the Amerindian Land Titling Project. They were however still concerned that their full extension area as submitted in 2004 might be dismissed yet again. In 2012, the Village planned to submit an updated extension application to the Ministry seeking full title over their traditional lands up the Issororo and Arunamai Creeks, including lands occupied by Bat Creek residents.

In 2015 an ALT team visited the Village and told them that their extension proposal would not be accepted as applied for, as they cannot have title to the area up the Issororo River. The team did not provide any alternatives. The Village now plans a large meeting to discuss the matter with all residents. The Village Council intends to press the ALT team to recognise the request and St Monica's justification. In 2015, the Toshao of the Village affirmed that the people are not willing to give up their demand and want their full land. The Toshao also noted that the Village is planning a joint meeting with Akawini and Wakapau, to discuss a potential shared extension area.

- 16. Extension description:** The extension area requested by the Village is as follows: "Traditional lands stretching from Issororo mouth back to the head of the same creek and up to the head of Ant River and thence along the ridge (watershed) southwards as far as the head of Tamakuri Creek and thence down the same creek and southwards to Paitakwau Creek and up the same creek to its head and along the ridge (watershed) northwards to the existing boundary and along the watershed to the point of commencement. The eastern boundary of the extension area shall be delimited by the existing southern Akawini boundary."¹⁴⁶
- 17. Extension justification:** Villagers want to legally secure their customary hunting, fishing and gathering grounds in the Issororo, Ant River and Upper Pomeroun because they have used this land for generations and they feel strongly attached to the land, forests and waters there. The Village Council fully respects and maintains jurisdiction over lands occupied outside the title by the families at Bat Creek who are benefiting from very good farming lands there. The poor soils and flooded areas within the title are one of the main reasons why the extension is so important to provide secure access and rights over suitable land. Given recent population growth, residents are looking ahead to the needs of unborn generations and appreciate the forethought of their ancestors in applying for a joint title area.
- 18. Land and resource conflicts:** The regional government has put continued pressure on residents of Bat Creek to move their settlement to Karimap, but they have so far have resisted. As one resident explains:

[Official of the regional government] say we need to move to the Mission, but we say we not want move. This place nice. We land is good and it not flood. This is where my grandfather lived long time. Then I born and grow here and raise me family. We will never leave this place. [Resident, Bat Creek, 2012]

For a long time, the Village has had trouble with outside loggers on their customary lands (titled and untitled). A meeting of the Village Council with the Guyana government around 1996 did not resolve matters. The Village struggled over many years to remove the Barama logging company's logging yard and office from titled land on the left Bank of the Pomeroun River. More recently the VC took action to remove a logger after he cut lumber inside the titled area and cut a boundary line inside St Monica's title boundary. After the Village complained, the GFC eventually sanctioned the logger. There are also conflicts on untitled customary lands where logging companies are reported to harass residents and restrict their access (see 19). Villagers complain that their free, prior and informed consent (FPIC) was never sought or obtained for any of the forestry permits and concessions now affecting their traditional lands.

Nowadays we are only allowed to work on the titled reservation and outside we can only work as labourers for the permit holders. All that is left to us is to work for them and we are underpaid and only catch enough to eat and pay debts. We cannot do work on our own lands anymore outside the title. That is unfair. It is wrong. We cannot accept that for us and our children. [former Deputy Toshao, St Monica, 2012]

Many villagers view GFC as a major problem. The villagers are especially upset that the GFC now says all logs must be tagged on Village Lands, including those used for domestic use within

146 LTA survey report and input form 2012.

the boundary. Villagers reject this (see testimonies in Annex I) and don't know why the GFC is asking for this.

- 19. Land security:** Villagers are most concerned about their traditional lands to the west of their title boundary where the government issued logging concessions and permits to Barama Company¹⁴⁷, and at least six other logging companies. The villagers don't know the identity of many other companies with SFPs on these lands. As one villager reports:

There are permit holders all over our lands. All of those guys have occupied our forests ... These men say that we Amerindians not got any rights no longer in their SFP areas. They say we cannot work there as it goes against forestry rules and they say it is their land. They are claiming that the land is their own! I just be sorry that we cannot get access any longer. All of our extension area is occupied!

According to data on the Geonode accessed in 2015, a mining concession (owned by an outsider and non-resident) covers parts of St Monica's titled as well as titled lands in the Bat Creek area. The Village is not aware of this concession and is seeking more information on mining interests in its extension area.

- 20. Livelihoods and environment:** Residents are concerned that restricting residents' use to the existing title is depleting their resources. People are upset that permit holders are squeezing the villagers and cleaning out their lumber and other resources outside the title. People say that is not right and that they are not even consulted about mining and logging concessions or permits. The Village Council has no information at all about a GGMC mineral and geological prospecting permit apparently covering much of their untitled traditional lands in the Upper Pomeroun. They are worried that mining may damage waters, fisheries and other resources. Villagers are not aware of any roads proposed by the government, but the loggers are putting in more trails daily to take lumber from the Village's untitled lands. Drinking water is scarce during the dry season as the river gets brackish. Very often the clean water is only found upriver outside the boundary in the area rejected for extension.

21. Recognition and measures sought:

- a. Residents call on the government to recognise the full extent of St Monica's customary lands as described in its extension application.
- b. They want the government to stop restricting Villager livelihoods and protect their right to use and exploit resources on their communal lands for the benefit of their families and the Village.
- c. The government should stop giving out concessions on the traditional lands in the proposed extension area and make sure that concession holders respect the boundaries of Village lands.
- d. The government should control commercial logging properly to stop it from destroying the forest.
- e. Residents urge the government to change national laws and policies (including the Amerindian Act, Forestry Act and Mining Act) so that indigenous peoples' rights are fully recognised and respected in line with international standards and the obligations of Guyana.
- f. Residents call on St Monica's Village Council to consult with neighbouring Akawini Village and Wakapau Village and reach agreement about their extension applications.
- g. Residents also want the VC to get independent legal advice on land rights and engage with all relevant authorities and initiatives, including MIPA, ALT team, GLSC, GFC and GGM, to deal with Village concerns on land and livelihood matters.

147 By November 2016 the government had not renewed Barama Company's expired concession.

Key findings:

- Kabakaburi has a land title, but residents consider it does not properly protect their traditional lands.
- The exact area of the title is uncertain due to unclear demarcation information and contradictory official maps.
- Farming lands, forests and hunting and fishing grounds are largely exhausted within the existing title.
- Important farming grounds lie outside the title boundary.
- The former government prevented more than 60 adult residents who live on untitled community lands on the right bank of the Arapiaco Creek from voting in the 2012 Toshao election.
- There are frequent conflicts with loggers in adjacent concessions and people feel that their freedom to cut lumber on their own customary lands is being restricted.
- People resent restrictions imposed by GFC on village loggers.
- The Village calls for its boundary problems to be resolved, and plans to request an extension of its title
- The Village is not included in the Amerindian Land Titling (ALT) Project work plan.

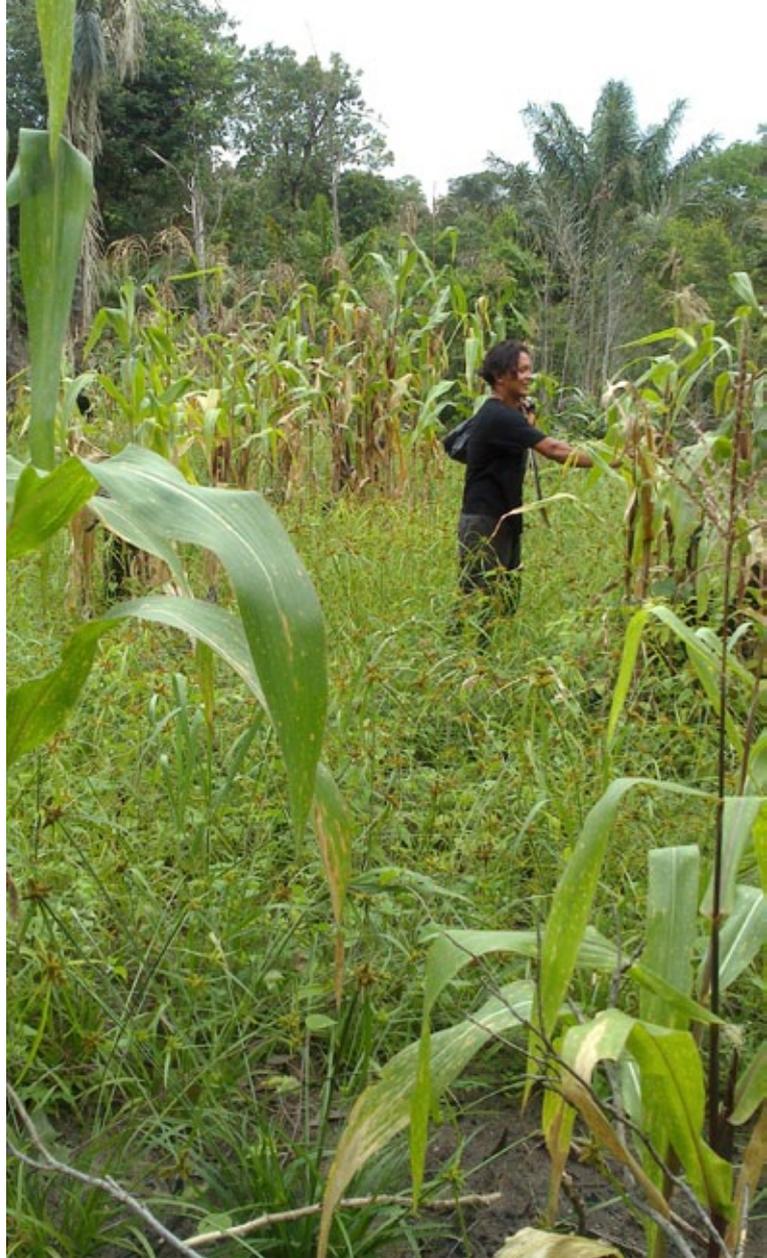
1. **Location:** Sixteen miles upstream from Charity on the Pomeroon River and on Arapiaco River (both banks), Upper Pomeroon, Region 2.
2. **History:** Archaeological investigations of shell mounds at Kabakaburi show that Amerindians occupied the area more than 5000 years ago and pottery dating from 3000 years ago was found around Jacobis Landing.¹⁴⁸ Historical records also show Amerindians living in the area in the early 18th century (Section 2.2). Reverend Brett established the Mission in 1840. Founder families of the mission Village site include Griffith, Boyans, Roberts, Chappelle, Smiths, Cornelius and Schadde. Sachibara was the first Amerindian to convert to Christianity; he was christened Cornelius.
3. **Main neighbouring communities:** St Monica-Karawap and Akawini.
4. **Estimated population:** 912 (153 households) (2012).
5. **Identities of residents:** Arawak, Carib, Warrau, Akawaio and a few mixed ethnicity families.
6. **Local government:** A Village Council made up of a Toshao and eleven councillors.
7. **Land use and economy:** Much of the land around residents' homesteads is no good for farming due to flooding, so they farm in the hills along the creeks two hours paddling away. Most of the gathering grounds are up the Arapiaco River outside the title area at Orobuco, Sisikai, Bodalekuiah (which means jumbie baking pan) and towards Hurihe Creek. The best hunting grounds are to the west of St Monica at Pomeroon Head, Arunamai, Tenguray Creek, Rock

148 Plew, M G (2005) *The Archaeology of Guyana* Archaeopress, Oxford at 7

Creek, Isorroro and Acure. These hunting grounds are shared with Akawini and St Monica villagers. Hunting grounds on the Warapana are shared with non-Amerindian river people. Farming grounds at Yaromai are shared with some families from St Monica. Traditional hunting grounds on the upper Pomeroun and Issororo Rivers are shared with Akawini and St Monica.

8. **Community projects:** There is a village market and a bamboo craft projects as well a passenger boat service run by the Village Council.
9. **Institutions and services:** The Village has a primary school and a nursery school, and a cottage hospital that serves people from Kabakaburi, St Monica-Karawap and Akawini. The few students that can afford it attend secondary school on the Essequibo Coast while others attend the Primary tops school, which offers secondary education.
10. **Current land title status:** A land title was granted under the 1976 Amerindian Act and in 1991 under the State Lands Act.
11. **Existing title description:** "The area commencing at the mouth of the Urasara Creek, left bank Pomeroun River, thence up the Urasara Creek to its source, thence north 2 miles, thence west 3.5 miles, thence south by east between the watershed of the Natubutura and Waiwaru Creeks to the mouth of the Yawaramai Creek, right bank Pomeroun River, thence up the Yawarami Creek to its source, thence south by the watershed of the Arapiako and Kairimap Rivers for approximately 3.5 miles to the source of an unnamed creek, left bank Arapiako River, thence down the said unnamed creek to its mouth, thence down the Arapiako River to its mouth, thence up the Pomeroun River to the point of commencement."¹⁴⁹
12. **Title suitability: Inadequate.** In the 1960s Kabakaburi leaders were very active in collective efforts by indigenous peoples to secure territorial and land rights to the Greater North West Amerindian Territory. Villagers still feel disappointed that the ALC ignored this joint collective land claim (see Section 3.3) and recommended titles for individual Villages. For Kabakaburi, the ALC reduced the community's land by cutting out the right bank of the Arapiako River and lands around Warapana. Village elders feel that the ALC in the end accepted very little of their request and that the individual Village titles divided communities. Like many Villages in the former North West District, the villagers were never informed that their lands were reduced under the 1976 Amerindian Act, which legally formalised the ALC's recommendations.

Villagers are unhappy that their existing title does not cover their traditional lands, particularly around Hurihe Creek (left bank Arapiaco), where people still farm, fish, hunt, gather and live. It also leaves out the right bank of the Arapiaco River such as the area around Tapakuma Creek,



149 Schedule to 1976 Amerindian Act. The 1976 title description is taken directly from the 1969 ALC recommended area (*Report by the Amerindian Lands Commission* (1969) Georgetown, Guyana at 118). Residents recall that the villagers and the Captain at the time strongly protested against the 1976 title area when it was received because the title covered a far smaller area than requested to the ALC and had severe limitations and loopholes that failed to provide proper legal protection for their lands.

where families lived in the recent past, and the area around the Warapana Creek (left bank Pomeroon). Villagers complain that that this entire area is untitled and insecure, even though the same area had already been recognised as an Amerindian Reservation before independence from Britain.

The boundary in colonial times was from Warapana – a place they called ‘reservation’ – three families used to live there. From there it was supposed to go between the watershed of the Akawini and the Pomeroon. Then across to the source of the Waiwaro. Then up to source of Yaramai. Then to source of Hurihe. There is even a place called signboard at the mouth of a creek by Hurihe Creek (and along Komaripo) and another at Tapakuma. But now they thief all that land: all these signboards were put there in colonial days. [Kabakaburi elder, 2012]

Villagers point out that the existing title even excludes settlements with up to 15-20 families on the right bank of the Arapiaco and downriver of Arapiaco on the Pomeroon. The former government prevented up to 63 adult residents living in this area from voting in village elections, saying that this was because they lived outside community boundaries. The Village strongly rejected this.

On the left bank of the Arapiaco, the ‘unnamed creek’ in the 1976 description has caused a lot of problems. Government officials placed it in three different locations on three separate occasions. Villagers report that this boundary was apparently first reduced when a forestry official moved the signboards from Tapakuma Creek and Hurihe Creek downriver to Mapuri Creek, apparently to allow an outsider and non-resident logger to claim a logging concession in the same area. Some GFC maps appear to show the title boundary at White Creek on the left bank of the Arapiaco, which the villagers do not accept.

Residents point out that farmland in the available low-lying areas within their title is very poor due to continual flooding. They add that inside the title they don’t have enough forest for lumber work and even wood for construction is now scarce. They must therefore get these materials from untitled customary lands, which also provide locus fruits, bullet wood tree fruits and obadi fruits as well as *kufa* and *nibbi* for making craft and furniture.

13. **Title demarcation:** Conducted in 1998 and completed, but with errors that remain unresolved. The Village complained at the time of the demarcation, but the government did not respond. As a result, in 2005 the then Toshao (Edward Smith) and the VC organised a boycott of Amerindian Heritage month because of the demarcation problem. He told the public that “*we have no heritage if we don’t even have anything of our own to inherit, therefore we cannot celebrate Heritage.*” The Ministry responded immediately to this direct action and sent a team of surveyors to rectify the boundaries. But villagers consider that the surveyors got it wrong again (see below). Although the former Toshao did sign off on the 2005 demarcation, there were signs that the boundary had not been followed and that the VC at the time may not have understood what it was endorsing.
14. According to the Kabakaburi GLSC demarcation map (Plan No.38326, 07-12-05) the title area is 28.682 square miles. However, villagers assert that part of this described area was lost due to demarcation errors. Even the demarcation map inexplicably defined 13.52 square miles in the south of the area as ‘State Land’. This was eventually corrected to show that this area is part of Kabakaburi’s land.
15. **Demarcation suitability: Inadequate and flawed.** Villagers still have concerns about the demarcation, which does not fit the title description understood by the villagers. Various official maps continue to cause problems and confusion, such as the mistaken identity of the ‘unknown creek’ on the Arapiaco in the title description and on certain official maps held by GFC and GLSC that appear to show different boundaries. The correct legal boundary must be clarified, particularly the southern boundary along the Arapiaco River. Some residents complain that the GLSC demarcation line cut at Waiwaro runs too close to the creek and was supposed to be a straight line running northwest by west across the swamps further away from their

houses. Others complain that boundaries between the Yawarami and Arapiaco and Kairimap are supposed to follow the watershed, but in fact in some places the GLSC cut a straight line across, following a logging trail that already existed.

- 16. Extension status:** After Kabakaburi complained many times about the title, the government invited the Village to present a formal extension request. The Village is considering coordinating with neighbouring Villages to form a united front and submit joint land proposals.
- 17. Extension description:** No formal description is yet agreed upon, but villagers say the planned extension request will extend at least as far as Hurihe Creek.
- 18. Extension justification:** Residents are aggrieved that the area of Village lands that was earmarked during the colonial period was reduced by 'unnamed creeks' in the ALC report and the 1976 Amerindian Act, and then apparently further reduced through inadequate demarcation. Residents request a land title extension to right past wrongs and legally recover their lands.
- 19. Land and resource conflicts:** A local logger built a road through the community title to move lumber out of his concession. The VC reached an agreement with this logger requiring him to pay for his use of the road. However, his workers sometimes cut trees inside the Village title area without permission. The same logger has reportedly many times accused villagers of working illegally in his land and he has caused problems with GFC (but no fines as yet). Outsiders are taking sand from the Mapuri sand quarry within the Village title without the Village's permission. Conflicts also arise from logging concessions belonging to outsiders on untitled community lands. The Barakat concession occupies traditional lands used by the Village up the Tapukuma Creek, while another concession overlaps community lands on the Upper Arapiaco River. These lands were traditionally owned, used and occupied by villagers, including community loggers, for generations.
- 20. Land security:** Loggers occupy Kabakaburi's customary lands on concessions/permits awarded by the GFC (see 19). The GGMC has authorised a 'reconnaissance permission' for geological and geophysical exploration that overlaps much of Kabakaburi's titled and untitled land. Villagers don't know of any active or occupied mining concessions on their lands, but understand that the area may have commercial potential for bauxite and uranium mining. For these reasons, the villagers do not feel secure on their own lands.
- 21. Livelihoods and environment:** Over the years, and still today, the logging industry has caused a lot of harm to residents' ability to make a living. Wild game is now scarce. Villagers report that they haven't seen any wild hogs for the last 20 years near the Village because forest resources are used up and the noise of the logging machinery scares the animals away. What's left of the forest is not much good for construction and making of craft (see 12 above). Although residents logged their own title area in the past, so did local sawmillers who are not village residents. As a result, commercial timber now hardly exists inside the title boundary and residents are doing small-scale logging in their untitled customary lands. They see it as their right to freely enjoy and dispose of the resources that they know to be theirs (*"we feel that this forest is we own"*). They do not accept that they are 'illegally' logging, even if the GFC has given out lumber concessions to non-residents on the same lands. Residents emphasise that they never agreed to such concessions in the first place. They feel that loggers and GFC are unfairly restricting their livelihood rights by stopping them from going freely into neighbouring concessions. GFC rangers have threatened villagers that their chainsaws would be taken away or they would be fined. Many residents have paid bribes to forestry rangers stationed at the mouth of Arapiaco to avoid this. On two or three occasions the Village Council has had to pay a fine of about GY\$ 40,000 for timber cut by residents in the untitled Warapana area, which people know to be their customary lands. Many families are not able to produce enough food because there is little fish and game near the Village and menfolk are absent looking for work on the coast. As a result, a lot of food has to be bought from shops and markets in Charity. The river water is dirty and polluted and there was an outbreak of typhoid recently in the Village.

22. Recognition and measures sought:

- a. Residents recommend that Villages must reject party-political interference in village affairs and the government must not subject Tshaos to undue pressure.
- b. Residents also call on the Village Council to hold a far-reaching consultation with Kabakaburi residents on the land extension to make sure they agree, and that there is a precise proposal for title extension. The VC also needs to consult and agree with neighbouring Villages on land title extensions.
- c. They ask the Village Council to enforce its own rules and seek support for building up timber stocks on village lands (titled and untitled).
- d. They advise that all VC permissions and agreements with outsiders, including loggers should be considered by Village General Meetings to avoid confusion, improve transparency and increase community control over the land, especially as residents don't have enough forest resources for themselves.
- e. Residents recommend that neighbouring Villages need to unite with one voice to make recommendations and demand secure land and resource rights.
- f. Residents also advise that Villages in the northwest need to follow the example of the Wapichan and demand collective rights to their land as a people rather than as individual Villages.
- g. They urge the government authorities responsible for land issues to correct official maps and make sure that the title boundaries used for Kabakaburi are the same on all maps.
- h. They call on the GFC to make sure that all concession holders re-stock the forest and follow felling restrictions to promote more sustainable forestry.
- i. Residents also insist that, once the Village application for title extension is submitted, the government must process the submission in a fair and prompt manner through discussion, prior consultation and agreements with the Village.



Key findings:

- Akawini has a land title, but it only covers part of their customary lands and forest.
- Demarcation started in 1998, but further work done in 2001 failed to complete the demarcation and villagers report that errors remain in the surveyed boundary.
- Flawed demarcation has caused non-resident loggers to invade Akawini's forest reserve and has caused disputes with neighbouring Villages.
- The Village applied for a land title extension in 2004, but the government only replied in 2011 asking for further information.
- Akawini Village extension work is included in the Amerindian Land Titling (ALT) work plan.
- In 2016 Akawini Village Council agreed with neighbouring Villages of St Monica and Wakapau to make a formal request for a jointly shared extension area.

1. **Location:** Left and right banks of Akawini Creek, Pomeroun sub-region, Region 2.
2. **History:** Residents say that the current Village site was occupied in the 19th century and the mission was started in the early 20th century (founder families: Smiths, Wilsons, Lawless, Mcturks, Rodrigues). Elders affirm that Amerindians occupied Akawini valley and the wider territory since pre-colonial times. Villagers say there are ancient settlements in the forest areas away from the creek edge, marked today by nature farms and old pottery at sites in the bush e.g. at Bamboo Hill near Ykinipa Creek and at Dutchman Landing on the upper Akawini River.
3. **Main neighbouring communities:** Manawarin, Wakapau, St Monica, Kabakaburi, Kwebanna.
4. **Estimated population:** 890 (184 households) (2015).
5. **Identities of residents:** Arawak, Warrau, Carib and mixed ethnicity families.
6. **Local government:** Village Council consisting of a Toshao and 8 councillors.
7. **Land use and economy:** The Village is made up of several settlements and many homesteads located on hills (or 'islands') surrounded by swamplands. Community forests and farming grounds are on higher ground further from the Akawini River. Logging, fishing, farming and gathering is carried out on titled and untitled customary lands. In the past, Akawini people used to bleed *balata*, but later started small-scale logging for a cash income. Traditional hunting, fishing and gathering grounds are in untitled traditional lands in the Upper Akawini head watershed and beyond from the Burahara source over the Pomeroun-Waini watershed ridge into the Waini catchment. This extensive area is locally known by Amerindian Villages as 'the Gulf' and is shared for hunting, fishing, gathering and small-scale logging with neighbouring Villages, including Kwebanna, Manawarin, Wakapau and St Monica.
8. **Community projects:** The Village has a woodworking shop project and a transportation project to purchase a large village boat to carry big groups of villagers and lumber to the local town in Charity. There is also a housing project, river transport scheme, a lumber boat and community shop.
9. **Institutions and services:** The Village has a nursery school, primary school and two health

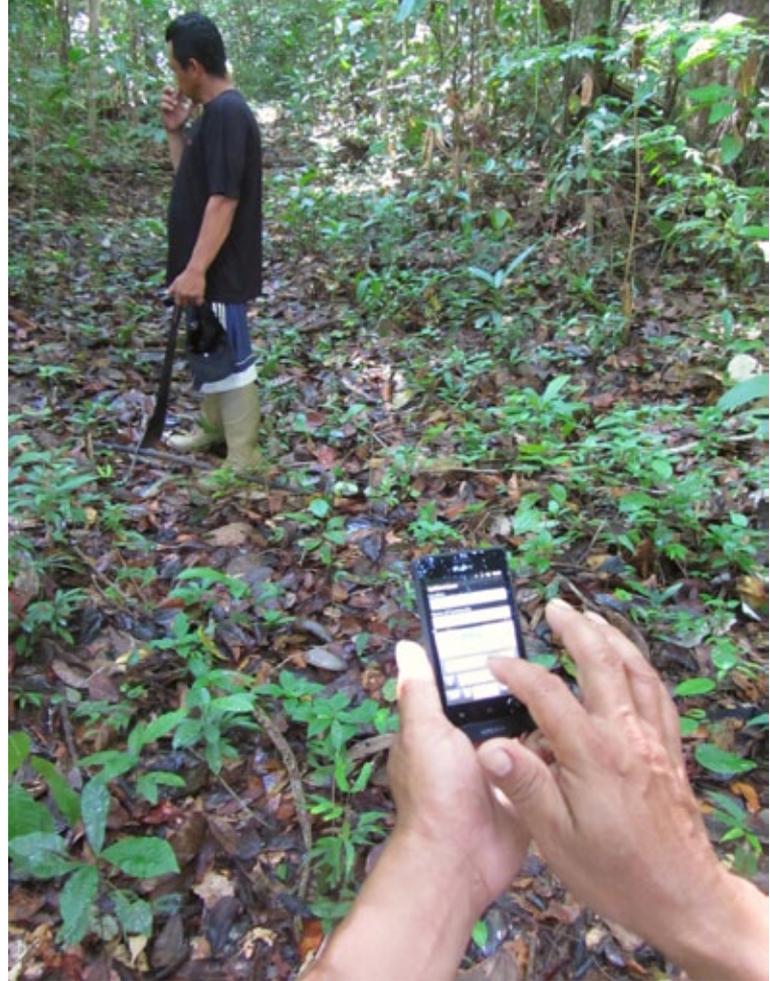
posts (one on the School Island in the upper section of the Village and the other at Baracarao in the lower Village section). Students who attend secondary school must go to Charity or Anna Regina boarding schools.

10. **Current land title status:** A land title was granted in 1976 under the 1976 Amerindian Act and in 1991 under the State Lands Act. The precise area of the demarcated title is unclear as the Village Council disputes the geographic information and accuracy of the official demarcation map of the Village (Plan 39140, dated 31-05-06). The VC understands that there are demarcation errors and uncompleted ground surveys along sections of the title boundary (see 13 and 14 below). The Village complains that demarcation errors and incorrect creek names are recorded on the demarcation map. A long-running boundary dispute between Akawini and Wakapau remained unresolved at the end of 2015 (see 18 below).
11. **Existing title description:** “The area commencing at the mouth of the Pariaka River, left bank Akawini River, left bank Pomeroun River thence south to the watershed between the Akawini and Pomeroun Rivers, thence west along the said watershed to the source of the Akawini River, thence north-east around the source of the Akawini River, thence east along the watershed between the Akawini Manawarin and Wakapau Rivers to the source of the Pariaka River, thence down the Pariaka River to its mouth, the point of commencement.”¹⁵⁰
12. **Title suitability: Inadequate.** Villagers consider that the title is insufficient as it does not recognise and secure a large portion of customary lands in forest areas that are traditionally used by the community in the ‘Gulf’. There was no prior consultation or prior community consent to the title. In 1991, the then Toshao Ignatius Wilson was simply informed that the title was ready to be collected in Anna Regina.
13. **Title demarcation: Incomplete and with errors.** Government land surveyors came in 1998, but did not complete the demarcation. Villagers report that GLSC rushed the work and did not consult with the villagers beforehand or confirm the boundaries with them. The surveyors not only missed out a whole section on the ridge on the northern boundary with Wakapau, but also appear to have missed out an eight-mile stretch on the northern boundary between Akawini and Manawarin. Two stretches on the southern border on the right bank of the Akawini bordering with Kabakaburi also remain unclear. GLSC also made errors in the demarcation of the boundary with Wakapau: instead of starting at Pariaka mouth they started at Pariaka point (an island before the Pariaka Creek). Some villagers feel that the ‘mistakes’ were possibly not unintentional and may have been “a wilful act on the part of the surveyors”.
14. **Demarcation suitability: Inadequate.** Villagers are not happy with the demarcation, as it does not match what the villagers know to be their title boundary. After the first demarcation work in 1998, GLSC visited Akawini in 2001 to try and get the then Toshao’s signature to endorse the demarcation. The Toshao and Village Council refused to sign due to GLSC failures to correct the various errors. The VC sent a letter about the demarcation problems to the then Minister in 2002/3, but received no response. The Toshao and villagers spoke to a subsequent Minister in 2009 at a meeting in Akawini, who promised to look into the matter but nothing more was heard. In September 2012, the then Toshao sent a follow-up letter, but again there was no formal response from the government.

Those surveyors that do these demarcations... I don't think that they are so knowledgeable of these boundaries. We know and live in this land and we could do this demarcation ourselves for a lesser cost and finish in a quicker time: it would be correct and there would not be any conflict between Village and Village. [Toshao, Akawini Village, 2015]

In October 2014, a delegation from the former Ministry of Amerindian Affairs visited Villages in Region 2 to discuss land extension issues under the ALT project. Akawini Village residents raised the issue of demarcation errors and the disputed area between Akawini and Wakapau (see 5.2.7).

The delegation agreed to visit the area and verify the location of the source of Pariaka Creek in the company of knowledgeable villagers. But one government official was unable to complete the 1.5-hour walk to the creek head and the trip was abandoned. This assessment has not been able to find out if there was any further follow up by GLS, GFC or the Ministry. In 2016 a visit to Akawini by the ALT team with officials from MIPA, GFC, GGMC, GLSC and Wakapau Village representatives agreed that demarcation errors had reduced Akawini's title area, and these errors must be corrected. But by the end of 2016 the Villagers had still not received a firm timeline for the corrective work.



15. Extension status: In 2004, following a VGM decision, Akawini sent a written extension application and a map to the former Ministry of Amerindian Affairs. The government did not respond in writing until 2011 (seven years later) asking for another updated map and saying that there were no funds for extension activities. Akawini Village Council is aware that their extension proposal was not consulted and agreed with neighbouring Villages (Kwebanna Village, St Monica, Manawarin and Wakapau) and this is planned in the near future. The Village holds a State Forest Permit (SFP) that it plans to renew from 2016. Akawini Village's extension request is included in the ALT project work plan. The ALT team visiting Akawini in October 2014 told residents that the extension application was due to be processed, but they could not provide any firm dates or schedules for the work.

16. Extension description: The broad description of the extension area proposed by Akawini is as follows: "The area commences at the source of Akawini, thence along the watershed between Burahara and Manawarin Rivers and thence South to the Pomeroun River and from there east to the Akawini boundary, thence north along the Akawini boundary to the point of commencement."

In April 2016, the three neighbouring Villages of Akawini, St Monica and Wakapua met and agreed to jointly apply for a shared extension area over this tract of land. Akawini VC also sees the need to consult with Kwebanna and Manawarin about the extension proposal. Akawini Village Toshao said that once the application is fully complete, it will be submitted to MIPA with full justification. Despite advice from MIPA legal advisors that joint titles are not permitted under Guyanese law, the Villages are determined to pursue their collective claim. They advised MIPA and the ALT team that Guyana's land law needs to change to recognise and respect inter-community collective tenure rights.

17. Extension justification: Villagers feel that extending their title boundary is vital to protect all of their traditional lands for the younger generation and for future generations of the Village. The Village currently only has short-term and insecure control over a small portion of forest land as an SFP. The Village Council plans to draw up a detailed justification document for its extension application with evidence of traditional land use and occupation.

18. Land and resource conflicts: From 2004 to 2006 there were serious conflicts with Interior Wood Product Inc (IWPI) that had an agreement with the Village Council to extract lumber from Village titled land in return for jobs, health benefits and royalties. IWPI sub-contracted the Barama Company to harvest the logs. This activity caused major damage to community

forest and timber reserves due to the use of heavy machinery and cutting of valuable timber for the construction of logging roads and bridges. The Village received few of the few promised benefits. After prolonged protests, the community succeeded in expelling the company from Akawini titled lands in 2006. The Village Council was also able to get an IWPI injunction against the Village thrown out of court. The Village has since made a film about its struggle and shared its experiences internationally.¹⁵¹ Boundary demarcation errors noted at 13 and 14 above have caused tensions with Wakapau whose residents have entered Akawini's own forest reserve area and hunting ground to do logging, claiming that the area lies within Wakapau's boundary. Invasion of titled lands by loggers also remains a common problem as all the neighbouring concessions actually cross into Akawini's titled lands, although they are meant to stay on their side of the boundary. Past and present examples of encroachment include cases linked to outside commercial loggers, and sometimes loggers from the communities of St Monica and Kabakaburi. Another conflict involves a concession holder that invaded community lands along the southern border of Akawini. The Village Council complained to GFC, which responded by creating a one-mile buffer zone in 2011. The community tries to patrol its title boundary borders regularly but feels they need more resources to do this properly.

- 19. Land security:** Seven Akawini families live outside the demarcated title area on two small islands (Pariaka Island). A former Toshao moved a pall to rectify the GLSC demarcation error, but the legal status of the land where these families are settled remains uncertain. Logging and hunting camps of Akawini villagers are also on traditional lands that don't have legal title in the 'Gulf' proposed joint extension area. Akawini and neighbouring Villages are very concerned that community land rights are not secure in the Gulf area. In the Gulf area, GFC seemingly sold logging rights on customary lands to various medium-sized logging companies, as well as the larger Kwebanna Woods Company concession, which was subsequently taken over by a Chinese company, Bai Shan Lin. By late 2016 the government had reportedly cancelled Bai Shan Lin's concessions (see 5.1.7 paragraph 20).

The Village has also learned that the Canadian mining company (CANAMEX) may have a concession on all or part of Akawini's requested extension area. The VC is currently trying to find out about any existing or proposed mining rights on its traditional lands.

- 20. Livelihoods and environment:** The harmful impacts of the Barama logging operations that stopped in 2006 are still being felt. The company cut down *kabakali*, *tatabo* and other valuable species as they were in a hurry to build the road and bridges. The road caused erosion and vegetation has not grown back as the soil has lost fertility. The road also created further conflict with neighbouring communities St Monica and Kabakaburi who took advantage of the route to claim it as their boundary and use it to enter Akawini lands to cut timber. Villagers are very worried that industrial loggers are opening up logging roads and damaging the more remote and intact forests of the proposed title extension area in the headwaters of the Akawini towards the Waini River. Large mining interests reportedly threaten the same area. Hunting grounds are suffering as game becomes scarce and craft and construction materials are being lost due to logging damage.

21. Recognition and measures sought:

- a. Akawini residents urge the government to stop granting concessions on, or close to, indigenous peoples' lands without consulting with them and having their full free, prior and informed consent (FPIC).
- b. They ask that the government should respect Amerindian peoples' land rights by strengthening the land titling and demarcation rules to ensure transparency and respect for FPIC, including removing MIPA's power to unilaterally veto or amend applications for land titles.
- c. The Village calls on the government to deal with land title extension applications in a fair and coordinated manner and not simply the 'first come first serve' approach.

151 Straumann, L (2014) *Money Logging: on the trail of the Asian Timber Mafia* Bergli Books, Basel at 204-208

- d. Residents urge the government should remove and cancel all concessions and permits to outsiders on lands where Amerindian Villages are seeking title extensions.
- e. The Village urges the government to support residents of Amerindian Villages to demarcate their own boundaries so that these are correct and accurate (*"we don't want no bossman telling us where we boundaries lie"*).
- f. The government should help reach a friendly settlement between Akawini Village and Wakapau Village on common boundaries and demarcation, while fully respecting the inter-Village agreements.
- g. The government should make sure that all demarcation and land title extension is based on agreements and discussion between neighbouring Villages to avoid conflicts and misunderstandings.
- h. The ALT project must fully respect indigenous peoples' rights in line with Guyana's international obligations and in line with UNDP policies and standards on the rights of indigenous peoples.
- i. The government should consider options for jointly shared title between Villages where appropriate.
- j. The government should provide Akawini and other Villages with resources to monitor and protect their forests and other natural resources on Village Lands.
- k. Akawini residents also urge their Village Council to follow up their applications for extension with the government and the ALT Project.
- l. They recommend that the Village Council continue to consult with Kwebanna, Manawarin, St Monica and Wakapau about the new joint application for a shared area.
- m. Residents urge their VC to call on all Villages to hold a joint Region 1 and Region 2 land summit or roundtable to coordinate actions and reach agreements between the communities on shared land and territorial rights, including overlapping extension applications in the Gulf area.



Key findings:

- Wakapau has a land title, but residents do not consider it is adequate.
- The demarcation contains unresolved errors that are causing disputes with neighbouring Villages.
- The Village applied for an extension to the land title in 2004, but for many years government replies were evasive.
- Residents have serious concerns about environmental damage from mining and logging roads in untitled forest areas traditionally used by Wakapau and other Villages.
- The Village is included in the Amerindian Land Titling (ALT) work programme.
- In 2015 the ALT team told the Village that MIPA would recommend an adjusted extension area; the residents are still waiting.

1. **Location:** Two miles from the mouth of Wakapau Creek (left bank Pomeroon River), Pomeroon-Supernaam District, Region 2.
2. **History:** Village elders state that Amerindian settlements were in the area long before Dutch colonisation. Amerindian objects found by residents in the forest, swamps and peat around Wakapau include war clubs, beads, stone axes and pottery fragments. When the Dutch arrived they set up a system of trading posts with Arawaks in the Wakapau area, trading manufactured European goods for local products such as salted fish and annatto. Several families founded the main Village settlement, including Thomas, Fredericks, Cornelius, Smiths, Adolphus, Wilson, Emmanuel, Oselmos and Phillips.
3. **Main neighbouring communities:** Akawini and Manawarin.
4. **Estimated population:** 1926 (300 households) (2012).
5. **Identities of residents:** Arawak, Warrau and Carib.
6. **Local government:** A Village Council with a Toshao and seven councillors.
7. **Land use and economy:** The Village is made up of 'island' settlements or 'sections' above the flood line in wet swampland and surrounded by forests on higher ground. These sections include settlements along the Wakapau Creek and its tributary: Koria, Mora, Massarie, Kamandankuru, Takatu and Yarishirima Islands. Some of the islands, such as Kokorite and St Lucian, have schools and other services serving the local population. Other settlements, such as Curemeru, are on higher ground away from the swamp. Residents farm, hunt, fish and gather for their livelihoods. Most income comes from logging, farming, providing boat services, boat building, small business trade, fishing and hunting. There are fifty salaried posts in the Village. Much of the title is covered in swampy grounds that are unsuitable for farming due to flooding, or infertile white sands that may only yield one crop and are no good for long-term cultivation. Many of the farmlands inside the titled area are worked out or nearing exhaustion, which is a major concern for the Village because population growth will need more farmlands. The Village has asked for more support to help its farmers use farming grounds and fertile soils in titled and untitled back-lands and to transport their goods to market. The Village is also determined to encourage

younger families to get more involved in farming and is trying to revive the collective *kayap* for farming work and self-help. Residents confirm that some Manawarin families are settled and farming in parts of Wakapau title area (Takatu and Mud Creek areas) and have done so for generations. Like many Amerindian Villages in the region, each community uses a very wide area of lands for hunting, fishing and gathering far from the main settlement. Villagers fish along the coast and in the Atlantic Ocean and collect crabs in the coastal region. Villages also share hunting and fishing grounds in distant areas including the western forest back-lands towards Manawarin head and the Waini River (known locally as ‘the Gulf’). Like other Villages, Wakapau is not happy that these untitled shared customary lands are being handed out to logging companies. Wakapau would like to get legal protection for these lands on its own or jointly with neighbouring Villages (see Annex I).



8. **Community projects:** There are projects to build farm access roads and bridges as well as a secondary school and dorms.
9. **Institutions and services:** There are three primary schools: Wakapau Primary on Kokorite Island, Yarishima Primary School on Yarishima Island and Mabel Sandy School on Mora Island. Secondary school students go to Wakapau Secondary School at Saint Lucian Mission on Kokorite Island. The Village has a nursery school, a health centre and two health posts. It also has a craft building (Kokorite Island).
10. **Current land title status:** Title was granted to the Village under the 1976 Amerindian Act and in 1991 under the State Lands Act.
11. **Existing title description:** “The area commencing at the mouth of the Hana Bisai Giah Creek, left bank Wakapau River, left bank Pomeroun River, thence northwest to the mouth of the Manawarin River, thence up the Manawarin River to the Takatu Creek, thence up the Takatu Creek to an unnamed tributary on its left bank, then up the said unnamed tributary to its source and that of an unnamed tributary on right bank Mud Creek, thence down the said unnamed tributary to its mouth, thence across the Mud Creek and up an unnamed tributary to its source, thence west to the Burahara Creek, thence up the Burahara Creek for approximately 2 miles to an unnamed creek on its right bank, thence up the said unnamed creek to its source, then eastwards along the watershed between the Akawini, Manawarin and Wakapau Rivers to the point of commencement.”¹⁵²
12. **Title suitability: Inadequate.** Residents remember that although the ALC visited the Village in the 1960s, they were not consulted again and they did not see the final title description until years later. Many villagers are not satisfied with the title. They consider that it must be extended to legally protect community forest land and give them access and control over basic materials, hunting, fishing and gathering grounds as well farm lands. Residents are concerned about the widespread granting of logging concessions on untitled customary lands in the western back-lands towards the Waini River that are shared with Akawini, St Monica, Kwebanna and Manawarin.
13. **Title demarcation:** GLSC carried out demarcation in 2000-2001, but it was never completed to the villagers’ satisfaction. The Village does not know if GLSC consulted with any neighbouring Villages beforehand about their common boundaries. The VC sent knowledgeable people to

152 Schedule to 1976 Amerindian Act

correct GLSC errors at some parts of the boundary (e.g. around Hana Bisai Giah (Hanabasajah) Creek). The surveyors made other errors, but the residents of Wakapau and Akawini who followed the survey team did not realise this until after demarcation. The demarcation was never completed in the Mud Creek area: the surveyors returned in 2001 to take GPS points, but apparently never came to Wakapau to clarify or report on the survey. Another apparent error in the boundary with Akawini Village is around Jutoro Creek where the surveyors did not follow the watershed correctly. Residents report that instead of following the divide between catchments, the surveyors traced a route along a logging road and across a bridge. These errors have led to difficulties between the Villages about logging rights and benefit sharing, and also about access to spiritual sites.

14. Demarcation suitability: Inadequate. In September 2012, GLSC said that, due the errors and boundary disputes, parts of the demarcation of Wakapau boundary adjoining Manawarin would have to be re-surveyed. The problem in several areas is that the boundary has no landmarks (including in the savannah area) leading to competing boundary claims. On 23rd September 2012, Wakapau Village Council wrote to the then President of the Republic to express its dissatisfaction with GLSC's work and the handling of the boundary dispute by the Ministry of Amerindian Affairs. At the end of 2016 the disputed boundaries remained unresolved.

15. Extension status: The Village has wanted an extension to their land title since the 1980s (see 18 below). The Village Council applied again in writing to the Ministry of Amerindian Affairs in 2004. MoAA did acknowledge receipt of the letter but asked the Village to provide more information and if they did not respond within a certain period it would be disregarded (this letter has since been mislaid by the VC). The VC felt it was an unhelpful and evasive reply and that the government was dragging its feet. Villagers, former Toshias and councillors are unhappy that they never got a meaningful response and nothing happened about the extension for almost a decade. In the end, unbeknown to the Village, Wakapau was included in the ALT work programme in 2013.¹⁵³ In early 2015 an ALT team from the former MoAA visited the Village and told residents that their extension would be granted as part of the ALT Project. The officials explained that they had considered the application but some of Wakapau's requested extension area lay within the titled land of Manawarin and therefore this was not included. ALT presented a map to the Village for its approval. The Wakapau residents accepted this explanation, but the ALT team did not leave the map or description of the suggested area with the Village. In November 2015, the Toshao went to Georgetown to ask MIPA but he did not receive any new information.

The Village Council and residents say they now realise that before submitting their 2004 extension application they should have consulted with neighbouring Villages. They stressed this point during the ALT visit in 2015. In 2015 Wakapau consulted with Akawini Village over extension boundaries and options for a shared extension area. In April 2016, Wakapau reached an agreement with St Monica and Akawini on a joint extension area and will submit the application to the government in due course (see also 5.2.6 at paragraph 16).

16. Extension description: Wakapau's 2004 application asked for an extension of Village lands west of Wakapau towards Burahara Creek head within the area known as the Gulf.

17. Extension justification: The Village does not have enough good farming ground and the population is growing. Essential customary lands are excluded from the existing title area and the community needs to get legal protection for vital forest lands and other areas used and occupied by the Village.

18. Response from government: Some elders and former leaders recall that in the 1980s and 1990s previous Toshias and Councillors asked for more land than the 1976 title. The then President reportedly rejected these requests arguing that the Village "did not use" the land it already had. The Village Council had also written to a previous President of the Republic in the

¹⁵³ The Village Council was unaware that Wakapau was included in the ALT work programme and had no specific information about the ALT project before the visit in 2015.

1980s and got no reply. The government response to the 2004 application only asked for more information. The application was not taken up again until 2013 when the ALT project work plan was drawn up (see 15 above).

19. Land and resource conflicts: Demarcation errors have caused tensions between Wakapau and both Akawini and Manawarin. After years of dispute over the boundary issue, Wakapau VC was invited to a meeting convened by the former MoAA in September 2012 in Manawarin Village. Despite the tension in the meeting, the two Villages signed a written inter-community agreement on 19th September 2012 to allow Manawarin to continue cutting lumber “between Takatu Ridge and Burahara Ridge” within Wakapau titled lands. Wakapau and Akawini have agreed that no logging work will take place by either Village in disputed areas until the boundary issue is fairly resolved. There were also conflicts over the years with outside commercial loggers. The Village had a long struggle to remove an outside commercial logger who failed to honour his agreement with the Village Council: he did not pay villager workers, damaged community roads and creeks, didn’t pay enough royalty and didn’t share benefits with the Village. Residents say that even when the VC told the logger to leave the Village, he continued to work in the territory without the consent of the people. The Regional Government at the time overruled village opposition and ordered the Village to allow the logger to continue logging for one year. But after that his permit was renewed each year for five years without the knowledge and the agreement of the villagers. He eventually left after six years when villagers refused to work for him any longer.

There is an ongoing dispute about 25 acres (10 hectares) of land formerly granted to the Anglican Diocese of Guyana within Wakapau Village. The VC maintains that under the 1976 Act the grants of lands to outsiders within Village Lands were passed (‘transported’) to Village ownership 12 months after public notices if there were no objections. All transported or absolute grants therefore became part of Village lands. But residents of Kokorite Island complain that they have been issued with writs to remove their property or have received demands for payment of rent from attorneys working for the Church, which apparently considers that the land is still Church property. This issue remained unresolved at the end of 2012. This assessment was not able to obtain an update.

20. Land security: Villagers are getting more worried about GFC’s presence in the back-lands of the titled area. The people say they feel their freedom to roam and use their own lands is being reduced. This is partly because SFPs were issued to outsiders in parts of customary land shared by adjoining Villages in the Gulf area.

21. Livelihoods and environment: Many villagers complain that years and years of lumbering have caused a severe shortage of building materials in nearby forests. Game animals are now scarce in many places. In some places, lumbering is causing damage because the sawmen don’t follow the Village Council and GFC guidelines. The Village Council has not yet drawn up written rules or by laws. The Village is worried about its food supply. Basic food like cassava is sometimes in short supply causing hunger and local prices rise beyond the reach of many families. Shortages are partly due to fewer young farmers and dwindling soil fertility on some farming grounds. Drinking water is sometimes scarce and creeks become very brackish during long periods of dry weather.

22. Recognition and measures sought:

- a. Residents urge the government to correct demarcation errors in a way that creates understanding and positive relations between Villages. The government must complete final demarcation as soon as possible to the satisfaction of all Villages involved. The process must be open and participatory and allow agreements between all adjoining Villages.
- b. MIPA and the ALT team must make sure there are meaningful inter-Village consultations about all extension areas affecting shared customary land and/or overlapping extension requests.

- c. Residents want the government to consider joint extension areas as a valid option in line with customary tenure so that all Villages can share a land title extension area to the west. This needs cooperation, joint discussions and organisation between Villages in Region 1 (Moruca sub-region) and Region 2.
- d. Residents also call on their Village Council to be more active on land rights and development issues.
- e. The VC should consult with neighbouring Villages and consider jointly setting up some sort of inter-Village body to deal with land and territorial rights, such as an Area Council or District Council.
- f. The VC should draw up Village Rules on lumbering and the sensible use of the land and forest. Rules should be developed and agreed internally in full consultation with residents. Once the Village adopts the rules, there must be means to enforce them.





6 RESULTS, ANALYSIS, CONCLUSIONS AND RECOMMENDATIONS

Section 6.1 pulls together the main findings from the 42 village summaries in Section 5 and Section 6.2 pinpoints the causes of insecure land rights and land conflicts. Section 6.3 makes concluding observations and Section 6.4 summarises community recommendations on what must be done by both the government and community governing bodies to improve tenure security and resolve land conflicts.

6.1 MAIN FINDINGS

6.1.1 Legal recognition and tenure rights

One third of communities in Regions 1 and 2 have no secure legal tenure at all

Thirteen of the 42 communities surveyed (31%) have no collective land title of any sort while 29 (69%) of the communities have a title. Other than Big Creek, all of the untitled communities are registered as Community Development Councils (CDCs). Six communities (Father's Beach, Barabina, Citrus Grove, Blackwater Savannah, Powaikoru and Canal Bank) have applied for communal land title as an Amerindian Village, but have received no positive response from local government authorities. Former Ministry of Amerindian Affairs (MoAA) Ministers often dismissed the CDCs' efforts to secure title while local Guyana Lands and Surveys Commission (GLSC) officials advised residents to apply and pay for individual title or leaseholds (e.g. Barabina). Several untitled communities don't know how to apply for communal title or what their options are to obtain secure tenure rights (Almond Beach, Big Creek, Imbotero, Koberimo, Arakaka). Only two former CDC communities (Eclipse Falls and Four Miles) are included in the UNDP's Amerindian Land Titling (ALT) work programme.

Joint requests for collective title among a group of Villages were dismissed or ignored

The Amerindian Lands Commission (ALC) rejected the joint request made by many Villages in the 1960s for a 'Greater Northwest Amerindian Territory' and instead recommended individual village titles (see Section 3.3). In the late 1990s six Villages in the Moruca sub-region tried to obtain a joint title, supported by a community map and documentary evidence. This was entirely ignored by the former MoAA (see Section 4.5). Villages report that in 2015-2016 the current Ministry of Indigenous Peoples Affairs (MIPA) is still refusing to consider joint requests for land title by more than one Village, saying this is not allowed under the 2006 Amerindian Act (see 6.1.2 below).

None of the titles held by the surveyed Villages were agreed through consultation and free, prior and informed consent (FPIC)

The ALC visited some (though not all) Villages in the 1960s, but it did not consult with them or obtain their agreement to the ALC's final recommended title areas. These non-agreed title areas were used in the 1976 Amerindian Act and again in titles issued in 1991 under the State Lands Act. Titles issued in the last twenty years likewise haven't met the FPIC standard because the MoAA decided final title areas without first obtaining the communities' agreement e.g. Yarakita (2007),

Kariako (2015) and Eclipse Falls (2015). In the case of Three Brothers (2007) the MoAA violated the agreement it had negotiated with the Village and the final title leaves out vital customary lands. Decisions about Village applications for extended title areas under S59 of the Amerindian Act are also failing to meet FPIC standards (see 6.1.2 below).

Almost all the surveyed Villages considered that their land title is inadequate and limits their ownership of community land and customary resources

All but one of the 29 titled Villages surveyed are not satisfied with their land title area because their existing legal boundaries do not cover vital customary lands, settlements, spiritually important sites and traditional resource areas. Of the 29 titled Villages visited, 19 (65%) have families living in settlements, household clusters or homesteads outside their existing legal title boundary. Sixteen of the titled Villages i.e. more than half, have important farming grounds outside their title area, and all of them have important community hunting, fishing and gathering grounds outside the title boundary. Government authorities have sometimes blocked residents living outside title boundaries from voting in Village Council elections (e.g. Santa Rosa, Kabakaburi).

Titles also deny Villages' land and resources within the title boundaries. In all 29 cases, the title documents exclude sub-soil resources and minerals from the communal property of the Village. Titles issued after 2006 also contain a 'save and except' clause that excludes "all lands legally held" by third parties before the date of the title. These titles also exclude "66 feet on either side of all navigable rivers and creeks" e.g. Village titles for Yarakita (2007) and Three Brothers (2007) and Warapoka's 2007 land title extension. Some earlier demarcation maps from the late 1990s also exclude 66 feet on either side of the mean high water mark of main creeks and rivers e.g. St Monica and Kabakaburi. Residents of low-lying villages like Three Brothers and Kabakaburi complain that these exclusions greatly reduce their title areas, which have very little dry land during floods and high tides.

Government officials sometimes pressure community leaders to give up their request for a land title or a title extension

Villages report that local government authorities pressured some CDC Chairpersons to drop plans to apply for a communal title (e.g. Barabina, where GLSC pushed for individual land titles) or to withdraw their title applications e.g. Canal Bank, Citrus Grove and Oronoque. In the case of Sebai Village, former government officials reportedly persuaded the Village Council to call off its application for a land title extension.

The authorities sometimes use biased rules and strange criteria to deny or limit land title to communities

The former MoAA told some untitled communities that they cannot get a title under the 2006 Amerindian Act because their population is "too small" (e.g. Fathers Beach). In other cases, the MoAA told Villages that they could not apply for a land title on both sides of a major river (e.g. Kokorite) or on two opposite sides of an existing Village title (e.g. Hotoquai).

Long delays in obtaining land titles may be linked to opposition by miners, loggers or other outsiders

Villages suspect that long delays in official processing of their titles and strange behaviour in the handing over of title documents ('five minute titles') may often be due to interference by miners or loggers that hold permits or are making claims on lands owned or claimed by a Village. In some cases, the former MoAA has admitted that changes to title boundaries and delays in granting titles were due to competing mining claims and interests (e.g. Kariako).

There are no legal safeguards to protect community land and resource rights outside title areas from being sold or given to third parties

Villages may wait years and even decades (e.g. Kariako) to have their land title or title extension applications processed. Meanwhile their customary untitled lands can be occupied and damaged by mining and logging businesses. Villagers feel they have no effective legal protections under current national laws to stop this.

Villagers complain that they are no longer free to use resources on their untitled customary lands

The residents of Barima Koriabo, Kwebanna, Kaniballi, Assakata, Warapoka, Bumbury Hill, Arakaka, Bethany, Mashabo, St Monica, Akawini and Kabakaburi all complain that they no longer feel free outside the village boundaries. They are very unhappy that their rights to access resources and make a living from their customary lands outside their title area are being violated. They report that GFC has harassed and fined them and SFP holders and logging companies have stopped them (allegedly with threats and intimidation) from going to their traditional forest areas. Other Villages report that small and medium-scale miners are also preventing access to forest lands, hunting and fishing grounds and traditional mining sites (e.g. Kokerite, Chinese Landing, Citrus Grove, Canal Bank, Arakaka, and Kwebanna) (See Annex I d).

Many Villages complain that that individual Village titles are undermining their way of life

Many villagers feel that the existing system of titling and demarcating individual Villages is harmful to the Amerindian way of life. By breaking up indigenous peoples' territories, individual titles have undermined customary tenure systems and traditions of sharing more distant forests, hunting and fishing grounds among several neighbouring Villages. Many feel that hard boundaries and demarcation lines have caused unnecessary conflicts especially where they don't follow agreed customary boundaries between Villages. For this reason, Villages are calling more and more strongly for a collective inter-village approach to land titles, title extensions and demarcation. Many also consider that the Amerindian Act 2006 must be amended to allow land titles to be jointly held by more than one Village (see Section 6.3).

6.1.2 Title demarcations and extensions

Most Villages think that demarcation has not helped them protect their lands because of mistakes in the boundary lines and leaving important areas outside the boundary

Of the 25 titled and demarcated Villages visited as part of this assessment, 14 Villages (56% i.e. more than half) consider that the demarcated boundary has mistakes and does not match their original legal land title description (Santa Rosa, Manawarin, Warapoka, Chinese Landing, Barima Koriabo, Yarakita, Kamwatta, Sebai, Baramita, Akawini, Wakapau, Mashabo, Capoey and Kabakaburi). In several cases, Villages complain that boundary surveys and demarcation done by the Guyana Lands and Surveys Commission (GLSC) have reduced their title areas, including Santa Rosa, Sebai, Barima Koriabo, Yarakita, Akawini, Capoey and Kabakaburi. In 2016, as far as this assessment could find out, all the Villages are still waiting for these errors to be corrected.

Another eight Villages (32%) are unhappy about the demarcation even though the boundary more-or-less matches their title description (Kwebanna, Little Kaniballi, Assakata, Kokerite, Hotoquai, Hobodia, Bethany and St Monica). They say that even if the demarcation is correct, it has only served to mark out a flawed title area that the Village never formally agreed to through an FPIC process,

and that does not protect important settlements and customary lands that remain outside the boundary.

Altogether, 22 of the 25 demarcated Villages (88% i.e. nearly all of them) are unhappy with their demarcation.

Demarcation exercises have often caused disputes between neighbouring Villages by not consulting with them in advance and obtaining their agreement

Apart from Arukamai and Yarakita, this study did not find any case where GLSC consulted in advance with neighbouring Villages about reaching agreements on common boundaries. This, together with demarcation mistakes (see above), is causing conflicts between Villages over access to resources, e.g. Chinese Landing/Barima-Koriabo and Warapoka/Three Brothers in Region 1, Manawarin/Wakapau and Wakapau/Akawini in Region 2. Villages complain that government actions to resolve these disputes have been non-existent, delayed or of no use. All of the disputes are unresolved in 2016.

There are no official, agreed ways to make sure that Villages consult and agree on their common title extension boundaries

This assessment finds that in most cases Villages did not consult with their neighbours before sending extension applications to the former Ministry of Amerindian Affairs. But the MoAA also did not appear to have any clear rules requiring such consultation. The result is that the requested extension areas of many neighbouring Villages overlap. This problem remains unresolved in 2016.

Demarcation and mapping errors have allowed miners and loggers to enter Village titled lands e.g. Sebai, Baramita, Yarakita

Residents often find GLSC's official boundary descriptions difficult to understand and check, while many villagers lack knowledge of their title boundaries

Villagers often complain that the information on demarcation maps and surveys is not clear as it does not always relate to geographic features like creeks and hills. Most residents don't understand compass bearings, distances and GPS coordinates, meaning that Village Councils can find it difficult to check and agree to GLSC descriptions (e.g. Bumbury Village, Kwebanna Village).

Some Villages think that they are unable to apply for title extension or don't know how to apply.

Chinese Landing is unsure how to extend its title as it is surrounded by concessions and other titled Villages (Kariako and Barima-Koriabo). Three Brothers is worried that the Shell Beach Protected Area is blocking options for extension eastwards. Some Village Councils are not fully aware of the process for applying for land title extensions e.g. Assakata Village.

The Government has not dealt with Village applications for land title or title extensions promptly or competently

Many Villages submitted their original applications over a decade ago (e.g. Kariako first applied in 1994), and most made several applications, including Kokerite, Hobodia, Kwebanna, Kaniballi, Santa Rosa, St Monica, Mashabo, Akawini, Wakapau and Bethany. Only eight applications for extension received written replies from the authorities, while in several cases replies were only verbal (e.g. Kokerite, Mashabo and Bethany). Five applications never received any reply. The government claimed to have lost extension applications in three cases (Santa Rosa, Barima-Koriabo, Bethany). Of the 17 villages requesting a land title extension only one had been issued by the end of 2015 (Yarakita in 2007).

There is no official, fair and transparent appeal process where Villages can take their concerns about demarcation surveys

GLSC officials have ignored complaints or doubts raised by Village Councils and residents about demarcation (e.g. Santa Rosa, Hobodia, Kaniballi, Sebai, Kabakaburi). Villagers complain that there is no clear appeal process or grievance mechanism (way of making an official complaint) they can use when they are unhappy about boundary demarcation. GLSC surveyors have even threatened some Villages that they must pay for demarcation from their own funds unless the Village approves the demarcation boundary description (e.g. Kaniballi). In the case of Kabakaburi Village, GLSC only corrected errors after high-profile public protests and Village Council complaints in the national press.

Several Villages that have requested title extensions are excluded from the Amerindian Land Titling project work plan

Twelve Villages that applied for title extension were eventually included in the ALT work programme in 2013 (see Annex II) but Barima Koriabo, Yarakita, Kokerite, Warapoka and Assakata were not. (Assakata applied for an extended title area under the Moruca Land Council application in 2002). The reasons for the exclusion of these Villages are unclear but may, in at least one case, be because MoAA apparently had no official record of the application (Barima Koriabo).

The methods and reasons for deciding land title extension areas are sometimes biased, unclear or strange

Former MoAA Ministers and officials pressured several Villages to reduce the area requested for extension because it is “too big” (St Monica, Bethany) or because their title “would be bigger than Santa Rosa”, or because the Ministry considered that the Village “does not have the skills” to administer the area (Kaniballi). The former MoAA (and ALT teams) told some Villages that they may not extend title boundaries into certain areas already occupied by outsiders such as State Forest Permit (SFP) holders, mineral properties and agricultural leases e.g. St Monica and Kabakaburi. In other cases, however, Villages were promised that SFP concessions can be removed (e.g. Hotoquai Village).

6.1.3 Overlapping land claims and land conflicts

Most Villages find their untitled customary lands overlapped by logging and mining concessions

Most villages and communities visited for this tenure assessment complain that mineral properties, exploratory mining permits, logging concessions, State Forest Permits or agricultural leases cover part or all of their untitled customary land (Map 2 and Map 3).

Nine of the 29 titled Villages (31%) have their land titles overlapped by mining permits, concessions and/or mineral properties (Barima Koriabo, Waikrebi, Chinese Landing, Manawarin, Yarakita, Eclipse Falls, Baramita, Kariako, St Monica). Twenty-five communities (60%) have mining concessions on their untitled customary lands (Sebai, Yarakita, Hobodeia, Hotoquai, Powaikoru, Four Miles, Oronoque, Big Creek, Chinese Landing, Citrus Grove, Canal Bank, Arakaka, Kabakaburi, Kokerite, Barima Koriabo, Waikrebi, Assakata, Warapoka, Kaniballi, Santa Rosa, Kwebanna, Manawarin, Kariako, Baramita, Bethany).

Timber or palm heart concessions affect the titled lands of 10 villages (34%): Yarakita, Kariako, Barima Koriabo, Eclipse Falls, Chinese Landing, Kokerite, Hotoquai, Kwebanna, Assakata and Warapoka. In 2015, logging concessions or State Forest Permits occupied the untitled customary

lands of 33 communities (79%) (Three Brothers, Yarakita, Hobodia, Hotoquai, Powaikoru, Citrus Grove, Four Miles, Oronoque, Sebai, Canal Bank, Eclipse Falls, Arakaka, Kariako, Kokerite, Barima Koriabo, Chinese Landing, Waikrebi, Warapoka, Assakata, Kaniballi, Kwebanna, Akawini, St Monica, Kabakaburi, Mashabo, Bethany, Black Water Savannah, Barabina, Khan Hill, Koborimo, Capoey, Arukamai and Baramita).¹⁵⁴

Many Villages suffer land and resource conflicts, mainly with loggers and miners

Thirty-five (83%) of the Villages and communities included in this study report past and present conflicts over land and resources. Two thirds of the conflicts are disputes with miners and loggers on both titled and untitled lands. There are also a few unresolved disputes about Church claims to land plots within the title area of Amerindian Villages (Wakapau and Kaniballi). In other cases, the Village Council has rejected outsiders' claims to land within a Village title (Baramita, Kamwatta and Kaniballi). Although the Guyana Forestry Commission has resolved a few disputes with loggers (e.g. Arukamai), this study has not found any case where GGMC has successfully resolved land and mineral disputes.

Official maps of Village title areas held by different agencies sometimes don't agree and some have major mistakes

The conflicts between Villages and miners or loggers is not helped by the fact that different government agencies (MIPA, GFC, GGMC) appear to have different maps with contradictory information on Amerindian Village title boundaries and mining and forestry concessions e.g. Baramita, Kwebanna, Kabakaburi. The Geonode database has similar problems, where digital information on concessions and Village boundaries does not always match the printed maps held by GFC, MIPA and GGMC. Miners and loggers themselves appear to have yet another set of maps that the public cannot easily view (e.g. miners working lands next to Baramita Village).

Several Villages' and communities' untitled customary lands are within the Shell Beach Protected Area limiting their options for obtaining or extending title

Since 2011 the Villages and communities of Santa Rosa, Three Brothers, Assakata, Manawarin, Waramuri, Almond Beach and Father's Beach find all or part of their customary lands are within Shell Beach Protected Area (SBPA). In many cases residents are worried that they may have few or no options for obtaining legal title or a land title extension within the SBPA boundary under existing Guyanese law (see Section 4.3).

There are no official rules and clear processes to deal with outsiders occupying Amerindian titled lands and/or extension areas.

6.1.4 Human rights and livelihoods

Destructive mining and commercial logging are causing major damage to the environment that is affecting the livelihoods, health and welfare of indigenous peoples

Villages in both Region 1 and Region 2 report that commercial logging companies are destroying traditional livelihood resources, including craft materials, bush medicines and fruit trees important for game animals. Yarakita, Sebai, Hobodia, Canal Bank, Citrus Grove, Blackwater Savannah, Khan Hill and Kwebanna complained in 2012-14 that commercial loggers (including Ja Ling, Barama and

¹⁵⁴ Given the reported recent annulment of large concession areas formerly belonging to the Barama Company and to the Bai Shan Lin Consortium, the precise scale of overlap of logging concessions on customary lands in Region 1 is uncertain at the end of 2016 (see Map 2).

Bai Shan Lin companies) were ‘cleaning out’ community forests of valuable timber stocks. Bridge and road building by loggers are also contaminating water supplies and fisheries within untitled customary lands. Villages in Region 2 report similar problems caused by State Forest Permit holders occupying their customary lands and extension areas (St Monica, Kabakaburi, Akawini, Wakapau, Kaniballi, Bethany, Mashabo) (see Annex I: a, b, f, g and i).

Many Villages and communities in Region 1 complain that rivers, water sources and fishing grounds are severely damaged by mining waste. Warapoka complains of major contamination of the Waini River coming from upstream, while Kokerite and Kariako report that the Barama River is heavily polluted, which has even caused deaths among those using the water. Residents of Barima Koriabo report water pollution from mining in the Barima River, and Eclipse Falls and Arakaka suffer likewise on the Upper Barima. Mining has also polluted the water supplies of Big Creek and Oronoque. Citrus Grove and Canal Bank are deeply concerned about mining pollution in Kaituma Creek and White Creek, yet despite their protests GGMC has not done anything yet to stop harmful mining. Mining is also causing deforestation and damage to hunting grounds (e.g. Baramita, Sebai) forcing hunters to travel long distances to find meat and fish, and they often suffer shortages. Many families now have to buy imported meat and fish from village shops and retailers (e.g. Baramita Village, Bumbury Hill).

Miners are accused of committing violations of human rights against Village residents, including sexual crimes and atrocities

This assessment has documented reports of gross human rights abuse and crimes by miners and also police personnel against indigenous women and girls in Baramita Village. This information was passed to the relevant authorities in 2013. Despite some official investigations and visits by government officials in 2015, reports show that harassment and abuse by miners continues, while the perpetrators of rape and gang rape have not been brought to justice.

Populations are growing in most Villages and livelihood resources are becoming scarce within the limited title area

Many titled Villages visited for this assessment complain that resources are now scarce within their title boundaries. Farmlands have become infertile; craft, construction and lumber materials are in short supply and game animals are scarce in the titled land of Santa Rosa, Manawarin, Kaniballi, Yarakita, Assakata, Kokerite, Kamwatta, Hobodia, Hotoquai, Bumbury Hill, Bethany, St Monica, Kabakaburi, Capoey, Mashabo, Wakapau and Akawini, among others.

6.2 ANALYSIS OF TENURE INSECURITY AND LAND CONFLICTS

Indigenous peoples’ insecure tenure rights in Region 1 and 2 (and elsewhere in Guyana) and conflicts over land and resources are due to mistakes in the past, flawed laws and procedures, and problems with maps.

6.2.1 Past mistakes and flawed laws

As noted in Section 2 and in many of the Village summaries in Section 4, after Guyana got independence from Britain the Amerindian Lands Commission did not always recognise the customary tenure systems of indigenous peoples. Crucially, the ALC did not consult with villages beforehand and get their agreement to its final recommendations. As a result, the ALC rejected or reduced almost half of the Villages’ land claims, but its faulty recommendations then became law under the Schedule to the 1976 Amerindian Act (see Table 1, Section 3.3). Reduced titled areas mean that over the last fifty years miners, loggers and commercial farmers have occupied Villages’ excluded lands, leading to conflict and land disputes. The ALC also used ‘unnamed creeks’ and

approximate distances ('about one mile') in its recommended titles, which also ended up in the 1976 Act and in title deeds that were re-issued later in 1991 under the State Lands Act. This has caused a great deal of confusion and mistakes in titling and demarcation ever since (see below).

The 1976 Amerindian Act set the scene for land disputes and Village grievances because it did not make sure that Village title boundaries were surveyed, marked on the ground and agreed by the communities in advance. The same law excluded many State and church installations from title areas and set up an unclear process for the 'transport' and restitution of lands back to Village Councils. As a result, the Church continues to claim lands within some title areas and the Villages in question are contesting these claims.

This assessment finds that the 2006 Amerindian Act does not provide good enough protections for indigenous peoples' collective rights to lands, territories and resources (Box 1). One key example of problems with the Act is its biased rule on population size, saying that smaller communities cannot apply for title and thereby condemning them to insecure tenure.

Box 1: The Amerindian Act 2006

The Amerindian Act 2006 has several problems in relation to indigenous peoples' land rights, including that it:

- Says that all untitled lands are held by the State, which is not legally correct according to international law;
- Does not recognise indigenous peoples' pre-existing inherent rights to their lands, territories and resources;
- Does not have a logical process for land demarcation and titling;
- Does not require that titling is based on customary land tenure systems or customary laws on land and resource ownership. This is against international law;
- Only allows individual Villages to have titles to land and resources and doesn't allow any other type of organisation that could hold title for several Villages jointly;
- Does not protect the land and resource rights of communities that still don't have a legal land title;
- Sets unfair conditions on communities that want to apply for land title;
- Allows mining and logging concessions to be given on untitled customary lands beyond the lands immediately next to the title boundary, without consulting with the community and getting its agreement in advance or, in the case of logging, without even informing the community;
- Gives government too many powers to interfere in the way indigenous peoples' governing bodies work and make decisions;
- Gives leaseholders and other outsiders rights above the customary rights of indigenous peoples in State Lands and State Forests (Article 57);
- Only gives one way to appeal against the Minister's decision on a title i.e. via the High Court.

The 2006 Amerindian Act also introduced legal rules that have made land tenure insecurity worse for Amerindian Villages. In particular, the Act favours the rights of private leaseholders occupying the land before a title is granted. This in turn has apparently led to new 'save and except' clauses found in land titles issued after 2006. This clause places the commercial property rights of miners, loggers and agricultural leaseholds over and above the tenure rights of indigenous peoples' communities.

The Act also lacks clear ways of resolving land disputes and does not set out clear and fair rules for defining and agreeing on land title areas. The law gives too much power to the Minister of Indigenous Peoples Affairs to make his/her own decisions, which (certainly with former Ministers) has resulted in biased and one-sided decisions that didn't recognise and protect all of the community land rights and all of the customary areas defined by customary tenure. The 2006 Amerindian Act therefore does not meet international law standards and legal obligations agreed by Guyana under treaties it has ratified. These standards require Guyana to recognise, delimit, demarcate and title indigenous peoples' lands using clear and un-biased rules in accordance with their traditional occupation and use of the land.¹⁵⁵

At the same time, the Amerindian Act and other national laws do not provide proper protections for the untitled customary lands of indigenous peoples, which are designated as 'State land' or State 'forest estate' i.e. public lands that the government can sell or lease to miners, loggers, commercial farmers, infrastructure projects, conservation projects or other investments (including possibly REDD+ projects). In short, the government defines indigenous peoples' lands ('Amerindian lands') only as Village titled lands, and legal protections (including FPIC for new small and medium scale mining) only apply to these same titled lands and areas immediately next to a title boundary.

Outside the title boundary the government says there is no right to the vital FPIC safeguard for indigenous peoples' lands. This means that state authorities can grant concessions and allocate lands to outsiders on the untitled lands of indigenous peoples without the affected Villages knowing about or agreeing to this. This assessment found that these basic loopholes in Guyanese law are causing many land conflicts affecting indigenous peoples throughout Region 1 and Region 2.

The 2009 Forestry Act repeats the 2006 Amerindian Act's lack of proper protection for Amerindian untitled customary lands. This has meant that the government has routinely given out concessions and permits on untitled community forest lands without the agreement of the affected communities.¹⁵⁶ Indigenous peoples' organisations and Amerindian Villages are calling on the government of Guyana and the EU to correct these major problems in all Voluntary Partnership Agreements (VPA) and Legality Assurance Systems (LAS) proposed under the EU-Forest Law, Governance and Trade (FLEGT) initiative. But, at the end of 2016, they had not received any firm guarantee to protect indigenous peoples' customary tenure rights and FPIC over untitled community forests (although the GFC and EU did put forward general proposals on annexes to enable dialogue on tenure rights).

The 1976 State Lands Act (Article 5) is the origin of the rule limiting the property rights of indigenous peoples by excluding their rights to subsoil resources. Section 20(2)(a) of the 1976 State Lands Act Regulations is where the clauses in demarcation maps and title registration documents that exclude lands next to larger rivers and creeks appear to come from.

These 'savings' clauses are apparently meant to protect rights of way and transportation along rivers by non-residents, but it is not clear why the State has to have the ownership rights to these zones, as there are other legal ways of guaranteeing rights of way on rivers.

155 Gilbert J (2012) *Indigenous Peoples' Land Rights in International Law: from victims to actors* Martins Nijhoff, Leiden; See also IACHR (2009) *Indigenous and Tribal Peoples' Rights Over Their Ancestral Lands and Natural Resources: Norms and Jurisprudence of the Inter-American Human Rights System* OAS/OEA/Ser.L/V/II. Doc. 56/09 <http://www.oas.org/en/iachr/indigenous/docs/pdf/ancestralands.pdf>

156 The 1999 GFC rules of procedure give certain protections for Amerindian land rights, but these are rarely carried out in practice and are not contained in the 2009 Forest Act. See especially, McGarrell, M George, L and Almás O (2016) *Pinpointing Problems – Seeking Solutions: a rapid assessment of the underlying causes of forest conflicts in Guyana* APA and FPP, Georgetown and Moreton in Marsh

6.2.2 No consultation or free, prior and informed consent with the communities.

Government bodies have made decisions about land titling, demarcation and concessions without the communities' participation and without obtaining their agreement in advance. Villages and communities in Region 1 and Region 2 are very unhappy about this. Many residents stressed that this is the main cause of mistakes in boundary demarcations, mining and logging concessions being imposed on traditional lands and the conflicts about land and resources that communities are experiencing.

If a Village disagrees with a decision about its title, the only official way it can appeal is by taking the case to the High Court. But this is not a suitable approach for Villages, as the High Court may take years (or even decades) to make a judgement and the process is often costly. Village Councils can, and do, send written complaints to Ministers or other organisations such as the Indigenous Peoples Commission. However, this assessment found that in many cases Villages have not seen any improvement in their situation after writing to official bodies. Often there is no reply, or the points made by the Village are rejected.

This assessment also found Guyana's laws and administration dealing with land issues don't have clear and consistent ways of resolving disputes where there is more than one claim on the land, either for Amerindian titled lands or for tracts of land requested for extension of titles. Officials decide on a case-by-case basis, and the results are highly variable according to each case.

6.2.3 Problems with weak controls on officials dealing with land, and corruption:

It is possible that corruption of government organisations and their officials may be the cause of some demarcation 'mistakes', different versions of government maps of Amerindian lands, delays in granting of titles to Villages and officials not solving land conflicts. Some villages, such as Chinese Landing and Barima Koribao, suspect that mining, logging and other commercial interests have at times illegally influenced or bribed GLSC, GFC and GGMC officials to turn a blind eye to conflicts, or to change demarcation lines and surveys to favour mining and logging concessions.

6.2.4 Problems with maps and surveys

Government baseline maps are wrong about some things and leave out other things, causing boundary mistakes, surveying mistakes and arguments about land. GLSC teams made mistakes in several cases apparently because 'unnamed creeks' were used in legal title descriptions (e.g. boundary errors in the titles of Mashabo and Kabakaburi). Another cause of mistakes is using the same or similar names for different creeks (e.g. reported boundary errors for Barima Koriabo, Chinese Landing and Warapoka) and using minor tributaries as the 'source' of main creeks (e.g. as reported for the boundaries of Sebai and Capoeiy).

In other cases, villagers say that surveyors sometimes simply avoid difficult ground and take short cuts, sometimes refusing to go to distant points on the boundary (e.g. Santa Rosa, Akawini). Villages have to be very determined to get these boundary errors corrected (e.g. Arukamai, St Monica), but even if a Village Council insists on changes and refuses to approve a flawed boundary survey the GLSC may not take action, or it may take many years (e.g. Akawini Village).

Another problem is that different maps show different positions for Village title boundaries, causing boundaries to overlap and allowing outsiders onto indigenous peoples' titled lands (e.g. Baramita).

6.3 CONCLUDING OBSERVATIONS

Since fieldwork and data collection for this land tenure assessment was completed in November 2015, steps are being taken to deal with some of the problems described above because the new government has promised to amend the 2006 Amerindian Act (see Section 4.8). It is essential that Villages and leaders from Region 1 and Region 2 are involved in this process to make sure that the FPIC standard is built in to an amended law, and thereby stops concessions being imposed on community lands and forests without their agreement. Whether or not the proposed Hinterland Indigenous Peoples Land Commission (see Section 4.8) will meet Villages' demands for an open and honest tribunal process will depend in large part on the final terms of reference and mandate of this body.

In the meantime, it is vital that practical work on demarcation, titling and extension of title boundaries being done under initiatives like the Amerindian Land Titling (ALT) project fully respects FPIC. The ALT project must keep its promise to do its work in full agreement with indigenous peoples' land rights defined by their customary systems of land tenure. One key lesson from this tenure assessment is that a 'check list approach' to land titling is not enough. Under the ALT project, Kariako got a land title in 2015, but this survey found that the Village's problems with outsiders occupying their title area are still not resolved. In the case of Eclipse Falls, for example, the new title apparently leaves families and homesteads outside the title against the wishes of the Village.

These cases (and many others documented in Section 5 of this report) show that it is very important that the Villages and communities holding the land title agree with and accept the title. They must be satisfied that the title boundary respects their traditional occupation and use of the land, and protects their community's collective connection with the territory, lands, forests, waters, other natural resources and sites of cultural, historical and spiritual importance.

Defining title areas in an unbiased way that satisfies Villages and communities and meets Guyana's obligations to uphold indigenous peoples' rights to lands, territories and resources needs attention to detail, full acceptance of patterns of traditional land occupation and use, and respect for local knowledge.

This assessment points to a pressing need for stronger ways in which Villages can check and agree to decisions on land titling and demarcation. New rules and enough funding and support for inter-community consultation and agreements on land titles and extension areas are needed as soon as possible. Quick and easy ways that Villages can make official complaints and get errors corrected are also urgently needed.

It is also very important to deal with outsiders occupying titled areas and extension areas, as a great deal of the untitled area claimed by Villages is already covered with concessions and leases. Recognising Villages' land rights and improving their tenure security therefore needs a clear and honest process for resolving land conflicts and returning lands to their rightful owners.

Will the ALT Project make sure that the above-mentioned measures are taken? If so, new titles and extensions may finally start to protect land rights in line with indigenous peoples' rights. This would be a huge step forwards for the good governance (accountability and efficiency in decision-making and administration) of land tenure in Guyana and would help resolve longstanding land problems that have existed since independence from Britain. If not, indigenous peoples' land tenure will remain insecure, and land conflicts and grievances about land tenure will most likely continue.

6.4 PROPOSALS FOR ACTION

Most of the communities visited as part of this land tenure assessment made both general and specific recommendations for changes needed to protect their land rights, encourage good governance and resolve land conflicts. This section summarises the recommendations made.

To the government, national decision-makers and lawmakers:

- Take urgent steps to give the 13 settlements that have no land title in Region 1 (including settlements within the Shell Beach Protected Area) legal rights to their lands;
- Speed up the work to give land title extensions to the 17 Villages in Regions 1 and 2 that have requested them (including the five Villages currently excluded from the ALT work programme) to the satisfaction of the communities and using strong standards for FPIC and community approval;
- Correct mistakes and incomplete boundary demarcations in Region 1 and Region 2 with full involvement of the affected Villages and making sure that Villages approve and agree the final boundaries (including inter-village agreements if needed);
- Fulfil promises already made by GFC to remove State Forest Permits (SFPs) and de-register the boundaries of specific Timber Sales Agreements (TSAs) affecting particular Villages (e.g. SFPs and TSAs affecting Hotoquai, Kokerite, Barima Koriabo, Chinese Landing and Eclipse Falls);
- Honour promises made to remove mineral properties from Village title areas e.g. Kariako Village;
- Cancel all other logging and mining concessions overlapping with the titled and untitled customary lands and extension areas of Amerindian Villages in Regions 1 and 2, which were imposed without getting communities' FPIC;
- Stop giving out new mining and logging concessions on customary lands claimed by indigenous communities and in fragile ecosystems that are vital to their livelihoods (watersheds, water sources, mountains, wetlands, old growth/maiden forests);
- Take urgent action to stop destructive mining and logging activities that communities have complained strongly about, including in Kaituma River and the Upper Barima River, among others;
- Amend the Amerindian Act 2006 to: (a) remove its biased statements and rules (b) apply the FPIC protection standard to untitled customary lands as well as titled lands (c) allow a group of villages to jointly apply for and hold a land title or extended title area (d) remove the powers of the Minister of Indigenous Peoples Affairs to one-sidedly decide for his/her self about land title and extension boundaries (e) set up fair, clear and unbiased criteria for decisions and actions about delimiting, demarcating and titling of indigenous peoples' land in line with their customary system of tenure and Guyana's international obligations and commitments to uphold indigenous peoples' rights;
- Make binding rules that neighbouring Villages must consult and agree with each other about title boundaries, demarcation and land title extensions that affect them;
- Set up a fair and clear way for Villages and communities to make official complaints about, and appeals against, decisions made by MIPA and/or GLSC on titling, demarcation and giving out land;
- Set up ways to prevent and resolve land conflicts, including official procedures that indigenous peoples' communities, Village Councils and their collective representative bodies can use to challenge decisions or proposals to give land to mining and logging concessions, agricultural leases, investors and/or development projects;

- Reform the GFC and GGCM rules and procedures for giving out concessions so that they fully uphold indigenous peoples' rightful land tenure rights in line with international standards and obligations;
- Set up a national tribunal or a truth commission to hear indigenous peoples' complaints about land, territorial and resource rights. This tribunal should have powers to settle land claims and resolve land conflicts with miners, loggers and protected areas, including by giving back land where necessary;
- Build the capacity of government officials in MIPA, GLSC, GFC and GGMC to understand FPIC and the land rights of indigenous peoples;
- Make sure the UNDP Amerindian Land Titling Project upholds UNDP's standards and commitments on the rights of indigenous peoples;
- Fully protect indigenous peoples' land rights and apply the FPIC standard in all new trade and development plans and agreements affecting indigenous peoples' land and territories, including in the proposed Voluntary Partnership Agreement with the EU on timber extraction and exports.

To the National Toshias Council (NTC):

- Play a much more active part in upholding indigenous peoples' land rights in national laws, policies and projects;
- Take more action to compel the government to address indigenous peoples' concerns about past and present land rights violations;
- Monitor the land applications and claims filed by Villages with the government and press the authorities for responses and prompt action;
- Take up the Village and community recommendations in this report and speak out for land justice.

To Village Councils and CDCs:

- Give top priority to land titling and land title extension applications;
- Hold consultations and make positive agreements with neighbouring villages on land title demarcation and extension area boundaries;
- Explore options for holding regional land conferences among neighbouring Villages to develop joint proposals to put to the government and projects like the ALT;
- Closely follow-up on Village title applications and requests for government information and/or action on land and resources;
- Strengthen Village rules on controlling non-residents' access to the Village and giving land to non-residents (including for land leases), which should only be done with full backing from the public;
- Build the capacity of Village Councillors, women, and youths on indigenous peoples' rights, including land rights and FPIC (through training, education etc.);
- Draw up and adopt Village rules, and means of applying these rules, to uphold FPIC and encourage the sustainable use of resources by residents within Village titled lands and on untitled lands;
- Keep politics and political parties out of Village and inter-village discussions and decisions on land and territorial rights;
- Unite with other villages and the NTC to speak with one voice on land rights.



ANNEX I

TESTIMONIES

a. **Mr Reynold Hutson, Hobodia Village, Region 1**

My name is Reynold Hutson. I am a resident of Hobodia Village and also a former Toshao. It is a grievance to me concerning what is really happening here. To see what is going on because of these concessions that have been granted to these concessioners. To see how this is causing trouble and bringing a lot of difficulties to the life of our people. If at this stage it is affecting us, then more especially the generation to come. I was seeing what is really happening when I was Toshao in 2006. On the 6th of August we had applied for an extension to include the people on the right bank that have been left out of this (title) demarcation, to include them. Also that they will have that right towards land, that way they would not be having to lease their land and so on.

But to date up to now none of these things have been addressed as yet concerning this. Because we look at the present Toshao, and that at present he is out of the demarcated area. We are having schools, or playground, or health centre, the teachers' quarter, and everything is out of that (title). We need these things to be addressed. We need our land again. I said about the difficulties facing the villagers, and I am seeing the difficulties they be facing for the generations to come because these lands have been providing us our livelihood. The land help us concerning like go fishing, go hunting, it provides us with things for our crafts, our medicines and all of these things; and we need not only here but also to include our brothers up in the river here. We must include them also in the demarcated area so that all of them can be in one and the government can remove the concession areas. Remove them back, and let us have the land that belong to us, and ship them back until this land issue has been settled.

Give us what we want and include that (in the title). Because we look right up in the river head to see what is going on up there. Also to see how they have affected those persons there where the concession has been recently granted. It is definitely affecting the people because if you look at even the land that has been cleared to do farming you have lumberers right in that part. And it will create a conflict if this thing is not being addressed. And these are the things that we are really really in need of.

We need our land because our land belong to us: we really really in need of it. It not right for the government to do such things, when ok they say they care for us and then giving out these concessions. We also look, ok? Let's talk about deforestation and granting concessions. You are damaging the forest and as I said it makes things difficult for us. It scares the animals and all those things scared and we need the forest because we look at how our population is increasing. So what I would like to ask the government of Guyana is to address the issues regarding the land title. To give us our land; to respect our rights; to give us the land that belongs to us; and after you have finished that, then concessions you can give... Thank you.

[Mr Reynold Hutson, Hobodia Village, Region 1, 17 November, 2013]

b. Mr Godfrey Wilson, Kwebanna Village, Region 1

My name is Godfrey Wilson. I am 48 years of age. I was born in Kwebanna. I was brought up in Kwebanna. I live here for all of my life. I am glad to share my opinion on the use of our titled and non-titled land. Our foreparents and our parents all used these lands for their livelihoods for a comfortable and happy life. They used these lands to get food and to build their homes. I say these lands are referred to from Kwebanna Landing right up to the Macaw Falls on both banks (of the Waini). We use all the creeks and we use these lands for forest products for livelihood. Today, however, we have a big difference. It is that we don't have the full understanding of what the government and the GFC are doing with the traditional use and the commercial use of these titled and non-titled lands. My understanding is that our foreparents used these lands for their livelihood and we too. We too in this generation and future generations would like to use these lands for our livelihood. They used these lands to get what they wanted to get in life. They used to go out and get lumber and they used to go and get logs. We used to go and do whatever mining. We used to go out and extract forest products whatever we wanted. Now that is not the case with us. If we should go and cut lumber we will be charged. We will be charged many times for doing so. We paid millions of dollars (in fines) for doing that, going to get lumber for our livelihood to get money to send our children to school. We know our foreparents been doing that and they get money. It was not plenty money, but it was enough. We would like the authorities whoever is responsible in our country to fully recognise that these lands are our lands: they were used for our parents livelihood and we need to use them for our livelihood.

We consider these lands our lands, because we born and we grow in them. We have long lived on them. These are our lands where we live and it cannot be fair to us that the government is giving out concessions to logging companies, mining companies right around us. Right around us they are coming to use these lands and not for traditional use. They are coming to use these lands for commercial use, and we are told not to. We the people who born and grew up here we don't know about any other place. We know about here. We know about these creeks, these lands. We are told we cannot use these lands for commercial use. I think that is taking away our rights. That is curtailing our whole activity to gain and to maintain our families. How can we maintain our families? We cannot go to other peoples' lands. We cannot go to other people places. We have to occupy right here. We have to live on what we have here where we born and grow.

It has been brought to our understanding that the companies, logging companies and mining companies that is, are now occupying the lands for our extension that we would like to have for our titled land. We would like the government to grant us these lands as our titled lands as early as possible. Why? Because outside people are getting these lands for concessions for mining purposes and we the people here are not getting to use these lands. We are not getting to use them and others are getting to use them. Therefore we are asking the government to do something urgently. Urgently do something with our application. We did make an application to have these lands as our title lands. The Minister did respond by saying that he will deal with the issue on a first come, first served basis. We do not fully understand what the Minister is saying by that.

But I would like to say that we should be given the priority because we the first people here. We born and grow here. As I said, we can't go any other place. We can't go any other place in this country or in this world to get lands and use the lands. We know about here from Kwebanna Landing right up to the Macaw Falls. We know about these parts to be our place. So we would like urgent things to be done for us to have these lands to be our title lands. It is so hurtful as an individual to hear and to see people, companies from out of this country as well as in this country to come right next to us, right by our side, to occupy our land. And then to say to us that "You cannot come here to cut a tree. You cannot come here to do anything." "This is our land now and you cannot come here." This is what they would say to us. It makes us feel punish. It kills our spirit. It brings tears to our hearts and to our eyes to hear these words from what we would call

strangers coming in and telling us that we don't have any rights. How can we not have any rights when we and our foreparents born here? We are asking for the full legal recognition for these parts; for these lands as urgently and as soon as possible. So to all who is concerned we would just like our non-title traditional use lands to be fully recognised; and for us to be given the rights to use our lands in the terms that were used traditionally and commercially. Thank you very much.

[Mr Godfrey Wilson, Kwebanna Village, Region 1, 28 February 2012]

c. **John Campbell, Kaniballi Village, Region 1**

I am John Campbell - a villager of Kaniballi Village on the Waini River. I was born in Little Kaniballi. I attended primary school. Part of my living is hunting, fishing, farming, carpentry etcetera. The village was established in 1890 to 1891 by approximately 45 to 52 families, 250 people. This was mainly Warrau and Arawak. This was passed on to us by our forefathers who lived here many years ago. We have inherited rights to decide the direction of our lives and how we use the land and our resources; and to live by our own rules, which we establish according to our knowledge; and to maintain our culture and educate our children; and to be free from outside intervention or interference.

Since we for our survival as a people we continue to live off the land, the river and creeks, which we depend on. We depend on it to provide subsistence from the land and resources. Therefore, we have the right to own the land and to pass it on to our children the same way it has been passed on to us by our forefathers from the ancient days.

We do fishing, hunting, farming using crop materials to sustain and maintain our families on a daily basis according to our traditional way of life and customs. Therefore, I believe we have the right to live in freedom and peace and free from desperation and propaganda. As we realise this (our rights), we send applications seeking recognition for our land rights. However we were not successful so far because the state and government suggested that we are not having rights over such a big land area. They want to tell us that we are not able to maintain these lands, which we are maintaining years past up to this moment. So, on behalf of the Village and villagers of Little Kaniballi I want to ask that the state recognise our land and our traditional way of life and everything that we own and use for many years. Thank you.

[Mr John Campbell, Kaniballi Village, Region 1, 26 February 2012]

d. **Mr Sherman Edwards, Kokerite Village, Region 1**

My name is Sherman Edwards. I belongs to Kokerite Village and my grandparents. My grandfather of the name of Johnny Creek live here with my grandmother Rita Creek. My father John May Edwards was the first to shore and my mother Irene Edwards. So my great grandfather was living in a place called Inam, five miles long in the back. And so the rain brought us and we came here and control this place for so many years. We open mines and get our benefit. Then after that the big miners come and tell us that we cannot work in the mines anymore because the place where we work belongs to they. So we drift from one point.

The first place that they open is Binumbo mines. My great grandmother Evelyne Charles with her husband they open a place for us to work. The place closed and a year go by, then we go an' open it back. Then this man by the name of Marcus he take the place and say to people that we cannot work there anymore. That we have to move and we move from that point and go to another point

by the name of Selebo Creek mines and then a Mr. Morris come in and tell us that we cannot work there anymore because it's their land.

We decide we have to move back because this is the area we get the benefit from. So they just coming to affect us. And they affecting us right now and because we get children going to school, going secondary school, and the support is very low for them. So they affecting us in many situations because they affecting us here in Selebo Creek, and the children not going to secondary school because is very expensive. So the big miners just come to affect us because we are helpless. We are trying and seeking and maybe we have to seek more for help. We have to seek someone to help us to see how we can get freedom for our land that the grandparents have prepared for us to support we self and our children and plus my mother and father and the rest who live in this Kokerite Village. Because I know the place where I live ...and that place my great-grandfather open. Since long I living in there. Nineteen years I am living there.

I not know how long Mr. Marcus or Mr. Morrish be there, but I know I live here. I am 36 years now, and my mother is a pensioner so she is over 65 and these people come and tell us we can't do this and we can't do that. I don't know really what to do or how to make it in the right way who we have to contact, but maybe we must have someone to help us, because we need our freedom. We need to have freedom like our great-grandparents was before just as they have freedom. They had freedom for the jungle. They had freedom for everything - for the mines that they found for us. So we need to do the same as they. So I don't know what will happen to that but maybe we must have someone to help us. We have to show we have to push certain things to show and he will seek for us and we need both banks of this river. This river name is Barama River. We really need both banks of this river, because both banks, we know. I know since I am a small child that people live on both banks of this Barama River, from the tributary named Mnambo on the right bank and the tributary name Wanamo on the right bank, go down, down way down back to a creek named Waianama, a creek named named Arkaboosa, way down back to a creek they call Imitai, way down back to a creek they call Waikaisharoo. All that is our hunting ground, our farming ground, our mining area, downwards to this place they call Nekarau and back to the place they call Partimai. This is we fishing area, we farming area, we hunting area, because for my grandparents them, them told me since I was a small boy about the same place names that I am calling and I know them. I know the places them, the creeks them so I feel to myself that the place that the names that I just called, I feel that the places they belong to us, they belong to we – the Amerindians, because we born and grow and knew that place that through our grandparents through my grandfather Jonny Creek, through my father who died and gone Jonathon Edwards. They were the first to show (know).

So I would like to get some more information about things that happening about these people who is in the area - these big miners. Because even for the place, even for the surface we do the farming. We is not free anymore to do it so we need back the freedom yeah, so that is what we need.

[Mr Sherman Edwards, Kokerite Village, 2 December 2012]

e. **Resident, Baramita Village, Region 1**

I am from Baramita and I born here and grow. So this is my birthplace. You know, from my young days I could remember that my village was never like this before, but now coastlanders are coming in and there is a lot of problems and all sort of things are happening at Baramita.

Now, as this happens, there is exploitation by the miners in this area. Regarding our land, it is being taken over on all sides and we not knowing that our land is being sold and has not being

demarcated. It disturbs me that later on people may take over our land. We know we must take back our land like at Haiari as it is not still demarcated and is not joined to this reservation so we must try to get back our land and struggle for our rightful place – in Haiari Creek and Massokawai. Because we need more land for our future generation. You know, we have children and grandchildren growing up and they have to look forward to these places, like on Karaparu side. That place Haiari really belongs to us. The government must recognise our rightful birth place and they have to work for our welfare. This is what I am saying.

[Resident, Baramita Village, 16th October 2013]

f. Resident, Baramita Village, Region 1

I born here in Baramita. Regarding my life I am a farmer and as a farmer I do not feel safe because of the mining and them things going on. I do not want my land damaged by mining. I don't want this mining because I would not get farming land.

Regarding fishing and hunting, it is very difficult. In times gone by it was much better than this as we could get plenty meat and fish. But today it is hard, hard, hard and we have to go far to hunt and fish. For that reason the damage to our land in our eyes is very bad. Sometimes when it happens we have to go to the shop to get food and things like that.

I was born where Uncle Jonny has his place and I grow up there with my father and we never had a problem. Now my father die, but I am living the same life. I do not punt. I just do farming and a little day work and I try to get by. That is my work.

Regarding our livelihood we can no longer see trash houses (traditional house). In times gone by we lived in the trash house. Nowadays the mining and such roads have destroyed all the manicole areas in them swamps. So it is hard to build a trash house. So to my knowledge things have gone from good to bad and this is why I do not want our land destroyed as this thing happens more and more we will not exist any longer...

You know our lives get so hard with the extinction of meat and fish nearby. We wish that the people would stop destroying our land and we wish that the ones doing mining would assist us, but they never do that. The Village Council and Councillors are responsible and must stall such things because if we do not do that things will get worse and worse.

As life is so difficult, this is why we now live under those tarpaulins, but even that is still hard to get. We cannot get the 'paulins easy and the zinc is hard to get because we do not have the money for that.

So, you know, it makes me think that sometimes I have some sleepless nights and it makes me think that we could become extinct in this place... because sometimes I just make me own little camp out of buba leaves and such things and after a little time those leaves just rot up. So those things make me think and I have sleepless nights.

Life is so hard now and it is getting more hard as the girl that I live with is pregnant and she has two children from her first husband. So this makes me cry sometimes so silently in the night as I cannot work as my left arm is not so well and I cannot work so good, even though my girl tells me not to work too hard. It (my disability) makes my life so difficult.

In the days before my hand was like this, I used to hunt and bring lots of meat and fish. I try today, but it is difficult and I feel so bad about this. I used to bring a lot of meat in my young days,

including tortoise and bush cow, but now this life is hard. In times gone by my old man and myself when we go an hunt used to bring a lot of meat and nowadays it makes me think that nothing like this can happen and it is very difficult to tell you this about my life...

Now we must walk long to hunt to Kuyuwini side and we must walk for three days and coming back with a load it can take four days and it is very hard walking when you are alone. As I say, life is so hard nowadays.

This is what I can say about my land and my life.

[Resident, Baramita Village, October 16, 2013. Translated from the Carib language by a Baramita co-resident]

g. Mr. Hilton Thomas, Wakapau Village, Region 2

The first Captain of Wakapau was Alfeus Thomas. He was me poor daddy (passed away). He was an ordinary man, just like me, but he had been to school and qualified in education. So they took me daddy to meet governor Alfred in the 1940s and me daddy was appointed Captain. He take the job and he write to the governor. He wrote to Sir Alfred. He ask he what could be done so that the people of Wakapau could own their place here. So, Alfred sent a message to Commissioner Green. He came to the District and came direct to see the Wakapau Captain. He came to see me poor daddy and he could see that the people liked me daddy. He always visited the houses and by then he had been a leader for more than 20 years...

Me daddy made friends with Stephen Campbell. He come here and he gaff with he: they discussed how could the people progress in life? He was attached to Mr de Geer so they was like the three wise men. Then there was Burnham during that time as Prime Minister and Cheddi Jagan. Some things happened at that time and the Queen of England sent for them to go to a meeting in London. She invite them and of course Stephen Campbell too. They all went: Campbell, Burnham and De Geer - all gone to England, but Jagan boycotted the trip. The Queen did not know why he did not come.

They come back from England, but we know that Stephen Campbell he gone to settle all with Amerindian Reservations. He go to speak and settle it up with the Queen. The Queen said it was all OK and after that, now, Stephen Campbell he did die. He did not yet get the OK from the government here, but he get it from the White man and so they gotta get their land now. The Amerindians gotta get title, but Stephen Campbell he cannot help he self no more. He gone.

Me poor daddy he still alive and so he talk with Stephen Campbell's wife Umbelina. She come now and Mr Moor and Mr Fitzcow. They came to Wakapau and had meeting with the people. "Hear now", she said. She come to settle Amerindian land large and small. Well she ask me poor daddy how do we want the land: small or large? Me poor daddy say we don't want small, we want a good block for Wakapau. How big? she ask he. Me old daddy say we people need a large amount of land from Pomeroun to Mud Creek going back to Tinipuri. Our land is very important to us. Without we land we cannot live.

Well, they gaff about it and she say that the land in Pomeroun was all cultivated and we cannot take it. She ask he why we all ask for so much land. Me daddy answer that we need we land for farming, lumber, fishing, hunting and we growing generation to generation. Lot of this land is not profitable and it is pure swamp and water-land. It is on the other side that we hunt and cut lumber. And they said Yes! Alright. Captain you have spoken well but if you get it, work the land! Do not give it away for a bottle of rum! So we happy and we have plan for land and freedom to

make homes for we self. Umbelina she carry it (our request) back and she say she not going to lie and she would carry it right to the Queen.

And so it happened in that way.

But today we never know if we get the block. We do not know how the leaders work today. We did not see the bill (title deeds). We have Captains, but they not always knowing the history. They are young. We have no books of that time. Everything lost. If me daddy had known, we would have documents, but how did me old daddy know that back then? We have since had lots of Captains here, but we not knowing what they do. But somehow we living still. Right now we don't know what the government is doing: is it helping or is it undermining we?

Right now we do not have freedom. We do not know what is going on in the backlands (untitled lands towards Waini). It is all (logging) roads, but we don't know what is happening and this is we land!

I am glad that you have come to talk about the land. We want to be free! We want to move on our lands. We do not want other people to occupy we land. We want to be free to come and go for we self. So that is why we go outside the title to get we wood. In truth, if someone comes to help we, we would be glad to do something about our land.

[Mr Hilton Thomas (76), Mairi Island, Wakapau Village, Region 2, 9th December 2012]

h. Mr. Seaford Fredericks, Wakapau Village, Region 2

My name is Seaford Fredericks from Wakapau. I was born here. I have been living here for years up until this age. I am very concerned about what is happening to the community these days because I am not in agreement with what is taking place with the land situation.

Now, we were supposed to get an extension that we have requested from time to time. To date we do not have a response. I am just wondering what is going to happen to the coming generations and if they will be able to have enough land to live on and to feed themselves because the land is already almost exhausted.

And the next thing is that there is a terrible query within the boundary areas with neighbouring communities, especially between Manawarin and Wakapao. Now, it is not the case to me where the residents were in agreement that they had wanted the demarcation, because as far as I know the people in Manawarin were telling me personally they they would prefer to be working in a community jointly, so it would not have resulted in a conflict.

For me, I would have believed that living in peace and harmony together would have been the best thing rather than breaking up the communities and causing conflicts among the people themselves. I would blame the government so far. I think that they should have properly investigated and found out what it is that the people really wanted before doing this.

The other part of the question and what I observe in the Manawarin boundary area is that the demarcation was not properly done. Some of the boundaries were not distinguished and the marks are not distinguished: you can't see it! So that causes another conflict between the villages and the Wakapao people goes against the Manawarin people. All these things should not have happened. As a result, I feel that the government of the day should have tried to make some kind of adjustment in order to ensure that the people have been justified.

...It brings us to the point of thinking that the only alternative for the people is to drive on the land. We have to farm. We have to double up. Yet if we look at the patch of land that we got – if everybody should go into that - we do not have enough land to do commercial farming. And we have been requesting an extension for years and to date we are not getting a favourable answer. I am just wondering to know what is going to be the next move?

We are under pressure! We have been asking the government for assistance somehow and we weren't given the kind of response that we had wanted. The next thing is that we have approached an international donor agency for help. Now when we did this our Toshao came back telling us that the Minister says that this is not right. Why is it that the Minister is saying that we should not be looking for help elsewhere? So this situation tend to be terrible to me.

I am just hoping that this situation can stop somehow or another. Even if the Minister has the last say on the community orders or whatever it may be, but I would have believed that this is not too much the best thing to do. I think the Minister has too much of power.

I believe that the Toshao and the Captain should have the final say and not the Minister because we the villagers we knows what we wants! The Minister will not be able to tell us what is good for us. When the matter has been taken up to the Village Council level it is the voice of the people. I do not see how the Minister can prevent that. Thank you.

[Seaford Fredericks, Elder and former Toshao, Wakapau Village, 8th December 2012]

i. Kenneth Lewis, St Monica Village, Region 2

My name is Kenneth Lewis, aged 38. I was born at Paraika. Presently I am the Toshao of St Monica Kariwap from last April 2012. And I would like to share my concern on behalf of the residents of St Monica Kariwap. The main issue that I would like to speak about is our land.

As going through the history we recognise that in the 1960s we had just 25 families in St Monica and another five in our satellite community. Yet presently our population is growing fast. We have 102 families in St Monica and in Kariwap we have 127 families. The population at St Monica is 501 and approx. 650 at Karimap. So there and then we can see that we are growing faster. In times to come we will need more lands so that our people can live happily.

My concern is that if we should get extension of land, then that would be very good for us. Not only in the Pomeroon, but on both sides, including the Issororo also. Presently we have communities attached to our village that are outside the title and I would be very happy they they could be included in this community. Therefore this is why we have made this request for an extension of our title.

The area we would be happy that the government could grant to us is our traditional area. It covers the places where our foreparents gathered their materials for handicraft, games, herbs and other resources for making their living. And until now our people are still using those areas. To specify the area: it covers the Pomeroon from Haimara Creek, which is above Patawao and in the Issororo upriver to Kwiuari, where our foreparents lived. If we could have this area in times to come we would not need any more extensions.

Presently, we had been given a tractor by the government. Due to this tractor now we are able to access the forest more easily for logging, farming, fishing and hunting and we can work for the betterment of the community.

At the same time, there are issues that could be a serious for our people if they continue. The GFC is putting a lot of restrictions on the people in tagging. Now a few [?] ago I went to Charity and there I had a talk with the Forest Officer. He raised the point that we must tag all the trees we cut even if we use them for the benefit of the people in our community. So I asked him why the GFC needs so much of information. He told me that because sometimes we might be cutting wood that we are not supposed to! I am not happy about this.

We have all rights to our land. We have the right to cut trees or do handicraft or whatever in our community. So I think that in time to come this could affect our people. Since the tagging has come into the working condition there are a certain amount of tags that they give to us. The longer we take to take fill up the tags or take them the record, they will not be issuing us with tags so that causes the people to suffer. Some people wait and wait until we have all the information to take down to forestry, and only then do we get tags and so this brings punishment on the people. I think it should not be like this.

Since we still talk about the land, I also attended a meeting with the Forestry at Anna Regina Board Room. The lecturer stated that in times to come a system will be put in place where we have to take out information for the *nibbi* and the *kufa* and we will have to pay royalties for these products, which I do not think is right. Our foreparents harvested these products and we should have the first priority for resources on our land so I totally reject these plans of GFC. Thank you.

[Kenneth Lewis, St Monica Village, December 2012]

ANNEX II

SUMMARY FINDINGS OF LTA SURVEY IN REGION 1 AND REGION 2 (2012-2015)

Village/settlement	Titled/applied for	FPIC/satisfied	Secures all of customary lands	Satellites/homesteads outside title H=hunting F=farming G=gathering	Demarcation /year	Correct/satisfied	Extension applied for/ issued	Response/satisfied	Extension planned/ in preparation/ status	Land conflicts/ overlaps on customary lands	Included in ALT/Year D=Demarcation E=Extension
Region 1											
Santa Rosa*	Yes/1976/1991	No/No	No: a fraction	Yes: various homesteads with 25 families	Yes/2006	No/No Contains several serious mistakes	Yes (in 2002 with MLC and as VC in 2008)/ No	None in 2002 No/No 2008 app ' not found ' by MoAA	Resubmitted to ALT in 2015 with requested changes	Yes (Shell Beach Protected Area)	Yes/ Y3/E ALT visited in 2015
Father's Beach*	No	na/no	None at all	All insecure	na	Very unhappy	Title applied for but refused by govt	Yes/No MoAA: 'population is too small'	Still seeking title	Yes: completely within SBPA boundary	No
Manawarin*	Yes/1976/1991	No/No	None at all	Yes: farms, camps and homesteads	Incomplete/ GLS visits in 2011 and 2013	No/No	Yes (2007)/ No	Yes/ No	MoAA orders demarcation first	Yes (SBPA) and with neighbours – unresolved	Yes/ Y1/D Y3/E
Three Brothers*	Yes/2007	No/No	Significant lands were cut out from the title area	No	Yes/2010	Yes/No Use of unnamed creeks	No/na	na	Blocked (on eastern side) by SBPA	Yes (SBPA)	No
Almond Beach (CDC)*	No	na	na	na	na	na	na	na	na	No (inside Shell Beach PA)	No
Waramuri	Yes/1976/1991	No/No	nd	nd	No	na	nd	nd	nd	nd	Yes/ Y1/D
Assakata*	Yes/1976/1991	No/No	No: a fraction	Yes: homesteads and H/G grounds	Yes/2008	Yes/No	Yes in 2002 with MLC/No	None in 2002 Yes/ No	Re-submitted in 2012, but rejected by MoAA	Yes: logging concessions	No
Kwebanna*	Yes/1976/1991	No/No	No: a fraction	Yes: farms and H and F camps	Yes/2007	Not sure/No	Yes (2011)/No	Yes/No	MoAA states to be dealt with on 'first come first served' basis	Yes: logging and mining concessions	Yes/ Y3/E ALT did not visit in 2015
Kaniballi*	Yes/1976/1991 27 square miles	No/No	No: a fraction	Yes: farms	Yes/2006	Not sure/No Forced to accept demarcation map by GLSC	Yes (2000)/No 2011 MoAA said extension 'too big'	No reply in 2000/No Reply 2011: first come first served'	Resubmitted in 2011	Yes: logging concessions/ and with ASL (50 acres) and Church (26 acres)	Yes/ Y2/E – in 2015 stated extension cannot be bigger than Santa Rosa title
Warapoka*	Yes/1976/1991/2007 (extension)	No/No	No: a fraction	Yes: Rock homesteads in Three Brother's title	Yes/2006	No/No	Yes/Yes in 2007	Not satisfied	na	Yes: SBPA and with neighbour (Three Brothers)	No
Waikrebi*	Yes/1976/1991	No/Yes	No: a fraction	Yes: St Bedes	Yes/2001	Yes/Yes	No/na	na	No	No	No
Kokerite*	Yes/1976/1991	No/No	No: a fraction	Yes: Hobodi + Tinambo	Yes/nd	Yes/No	Yes (four since 1991)/ No	Yes/No MoAA: too big (verbally)	Already sent, but status unclear in 2015	Yes: mining concessions	No
Kariako*	Yes/2015 No description	nd	nd	nd: Munisi Aranka out?	nd	nd	na	na	na	Yes: multiple - mining permits (on title)	Yes/ Y1/title Dt/Y1
Chinese Landing*	Yes/1976/1991	No/No	No: a fraction	No, but H and F grounds excluded	Yes/2004	No/No Disputed area on Anaturi River	No/na	na	Blocked by Kariako and Koriabo titles	Yes: multiple, mining + others + neighbours – unresolved	No

Village/settlement	Titled/applied for	FPIC/satisfied	Secures all of customary lands	Satellites/homesteads outside title H=hunting F=farming G=gathering	Demarcation /year	Correct/satisfied	Extension applied for/ issued	Response/satisfied	Extension planned/ in preparation/ status	Land conflicts/ overlaps on customary lands	Included in ALT/Year D=Demarcation E=Extension
Region 1 (Continued)											
Barima Koriabo*	Yes/ 1976/1991 32 square miles	No/No	No: a fraction	Yes: on right bank Beckwa Creek and in Kabakali area	Yes/2008	No/No Serious creek errors	Yes (2012)	No/no MoAA claimed not received	VC is to re-apply	Yes: mining and logging concessions and neighbours – Chinese Landing	No
Arukumai*	Yes/ 2006	No/No	No: a fraction	Yes: 6 families on right bank Koriabo	Yes/2008	Not sure/No	No/na	na	Yes - planned	No (former conflicts with loggers resolved)	No
Yarakita*	Yes/ 2007	No/No	No: a large portion of H and F grounds excluded	Yes: 1 homestead outside title	Yes/2008	No/Section of NE boundary is incorrect	Yes in 2012	No reply/No	na	Yes: with loggers in untitled customary lands	No
Barabina (CDC)*	No/Yes (request to ALC and again in 2006)	na	None at all	na	na	Community is deeply unhappy and insecure	Title applied for since 2006	No reply/No Only oral responses	GLSC is encouraging individ titling	Yes: extraction of sand and clay without FPIC	No
Hosororo	Nd	nd	nd	nd	nd	nd	nd	nd	nd	nd	No
Koberimo (CDC)*	No	na	None at all	na	na	Some residents are very worried about lack of tenure security	Prior CDC Chair may have applied, but no info	na	Lack of info and unclear how to request title	nd	No
Bumbury Hill*	Yes/ 1976/1991 1 square mile	No/No	No: a fraction	Yes: homesteads and farms	Yes/2005	No/No	Yes/2010 (for area chopped from demarcation!)	None/no	Found out they are included in ALT	Yes: with agricultural leaseholders	Yes/ Y3/E
Khan Hill* (CDC)	No	na	None at all	All insecure	na	Very unhappy	Need advice on how to apply	na	Seek land title	Yes: with GFC/Barama concession	No
Imbotero* (CDC)	No	na	None at all	All insecure	na	Feel insecure	Need advice on how to apply	na	Considering title app	nd	No
Hotoquai*	Yes/ 1976/1991	No/No	No: a fraction	Yes: several homesteads excluded	Yes/2000	Not sure/No Creek errors	Yes/pending in 2015	No formal reply, but verbal caution by CDO	CDO 1st advised VGM that land not available as given out by GFC	ALT in 2015 and MIPA advised logging concessions will be 'moved'	Yes/ Y2/E ALT visited 10/15
Hobodia*	Yes/ 1976/1991	No/No	No: a fraction	Yes: most of the village excluded	Yes/2005	Yes/No Naming errors	Yes/2006	Yes/No Rejected on TG	Letter sent in 2010, but no reply	Yes: with logging permits/ concessions	Yes/ Y3/E
Kamwatta*	Yes/ 1976/1991	No/No	No: a fraction	No, but H+F grounds excluded	Yes/2008	No/No Disputes with neighbours	No: feel blocked in	Blocked on all sides	Numerous conflicts inside and outside title	Yes: with oil palm and agricultural leases + sand extractors	No
Red Hill	Yes/ 1976/1991	nd	nd	nd	nd	nd	Nd	nd	nd	nd	Yes/ Y2/E
Blackwater Savannah (CDC)*	No/Yes (in 2011)	na	None secure	na	na	na	na	No reply to application	na	No (former logging concession expired)/logging concession on part of customary land	No
Tobago (CDC)	No	nd	nd	Nd	nd	nd	Nd	nd	nd	nd	No
Sebai*	Yes/ 1976/1991	No/No	No: a fraction	No, but H+F grounds excluded	Yes/ nd	No/No Forced to accept flawed demarcation map	No	na	Plans to make an application	Yes: area contested with Ja Ling logging concessions	No
Four Miles*	Yes/ 2015	n/a	nd	nd	nd	nd	nd	nd	nd	nd	Yes/ title/Y1 Dt/Y1

Village/ settlement	Titled/applied for	FPIC/ satisfied	Secures all of customary lands	Satellites/ homesteads outside title H=hunting F=farming G=gathering	Demarcation /year	Correct/ satisfied	Extension applied for/ issued	Response/ satisfied	Extension planned/ in preparation/ status	Land conflicts/ overlaps on customary lands	Included in ALT/Year D=Demarcation E=Extension
Region 1 (Continued)											
Citrus Grove (CDC)*	No/No – joint effort to apply title not submitted [jointly with Canal Bank]	n/a	n/a	n/a (all)	n/a	n/a	n/a	The MoAA said to apply as single village (but not as Amerindians as the popn is 'mixed')/ no – deeply unsatisfied	Application for a land lease also ignored by GLSC. In 2015, the community planned to re-submit title application	Yes/mining blocks in Upper Kaituma and White Creek areas. The whole area is covered by timber concessions (FPIC was not obtained)	No
Canal Bank (CDC)*	No/Yes long ago by late Captain Earnest Lowe	na	na	na – all outside	na	na	na	No record of old title application. Did apply for forest permit, but not successful	Some residents have sought individual leases – /others want communal title app to be resubmitted	Yes: mining blocks in White Creek etc	No
Oronoque*	No/Yes (in 1980)	n/a	n/a	n/a (all)	n/a	n/a	n/a	Only allocated 1.0 or 0.5 acres per person in a local housing scheme/no		Yes/with miners and loggers	No
Eclipse Falls*	Yes (2015), but awaiting title document and map	No/no	No: only a fraction and much H+F grounds excluded	Yes/100 persons	No	n/a	no	Title area was dictated by the GoG – village told cannot have land on both sides of Barima River	nd	Yes/mining pollution on Barima River	Yes/ Y1 investigation done in 2014
Powaikoru (CDC)*	No/Yes	na	na	na – all outside	na	na	na	CDC applied for title several times. Told in 07/14 that title was in process/ No		No	No
Big Creek*	No/No (their land has reportedly been added in Eclipse Falls' title)	na	na	na	na	na	na	Residents previously not aware able to apply for title and not informed of Eclipse fall title details	Residents considering options for individual title app	Unclear. None currently reported by residents. 2015 Media reports indicate conflict with miners at Fish Creek.	No
Arakaka (CDC)*	No/No	na	na	na	na	na	na	Mixed IP/ Afro popn not successful since 1980s	CDC Chair will explore options for land title	Yes – with local miner (non-IP). Barima River is polluted.	No
Baramita* Demoted from District to Village	Yes/ 2004	No/No	A large part,	No, but title land issued to miners without FPIC	Incomplete/ started 2015	Ongoing under ALT	No	na	Seek land restitution of 150 Sq miles	Yes: with mining concessions and miners (serious abuse in title area)	Yes/ Y1/D
Region 2											
Bethany*	Yes/ 1976/1991	No/No	No: much land is excluded	Yes: 4 households outside	Yes/1999	Yes – adequate after Captain insisted on corrections	Yes (2003)/No Yes (again in 2010 at NTC)	Only verbal reply in 2006 from Minister – rejecting due to existing forest concessions	Extension is in ALT, but status of extension app uncertain/ unclear	Yes: with loggers and land encroachers (right bank Supenaam River), who block access to residents	Yes Y2: ALT investigation in Nov 2014, but no clear recommendations
Mashabo*	Yes/ 1976/1991	No/No	No: much land is excluded, including farming grounds	No	Yes/2001	No – various mistakes alleged by residents linked to unnamed creeks. Told by MoAA to apply for extension to 'get their land back'	Yes – repeated requests (2001, 2006, 2008 and 2009)	No written reply – only repeated verbal promises from successive Ministers/not satisfied	na	Yes: with loggers – concessions overlapping customary lands	Yes Y2) for extension

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Region 2 (Continued)											
Capoey*	Yes/1976/1991	No/No	No: Title area is just 23 square miles and less than half that request to ALC	Yes: homesteads at Mary Point	Yes/1997	No – various errors on creek boundaries	Unclear	nd	nd	Yes: with commercial farmers on leased land – polluting the lake	Yes (Y2) for extension
St Monica-Karawab*	Yes/1976/1991	No/No	No: only a fraction	Yes: various families at Bat Creek	Yes/1998	Yes – errors corrected at insistence of Captain and VC	Yes/2004	Only oral reply. Then Minister rejected the app saying it was too large and already taken by SFP holders (village forced to submit a much smaller area of 18 Sq miles)	The current VC is adamant is will not give up on the full extension area.	Yes: with SFP holders	Yes (Y2) for extension ALT investigation team told the residents in 2015 village they could not have their requested extension area in the Isororo valley.
Kabakaburi*	Yes/1976/1991	No/No	No: only a portion	Yes: 60 residents at Arapiako right bank	Yes/1998	No – numerous perceived errors that remain unresolved	No	na	Now considering a joint extension application with neighbouring villages (St Monica and Akawini)	Yes: with SFP holders	No
Akawini*	Yes/1976/1991	No/No	No: only a part as much of Gulf excluded	Not clear	Yes/1998-2001	No – incomplete and problems not resolved	Yes/2004	Only got a written reply in 2011 – saying they need to re-submit map	Now in dialogue with neighbours on a joint extension over a customarily shared area	Yes: with non-IP SFP holders and also loggers from neighbouring Villages (major conflict in the past with Barama – now resolved)	Yes Y2/E
Wakapau*	Yes/1976/1991	No/No	No – customary lands excluded in Gulf area	No	Yes/2001	No – incomplete and problems not yet resolved. Boundary errors/problems have led to friction with neighbours	Yes/2006 and also previously in 1970s and 1980s – but repeatedly rejected by successive governments	Earlier GoG replies were evasive and just asked for more information. The recent promises are welcome – but there are no guarantees	Now in dialogue with MIPA/ALT	Yes: dispute with the Church and with neighbouring villages (Manawarin)	Yes Y2. In early 2015 a visit from MIPA advised an extension would be processed – but with new proposed area defined by MIPA. An informal agreement now exists – but no confirmation nor maps
Mainstay	Yes/1976/1991	nd	nd	nd	nd	nd	nd	nd	nd	nd	Yes Y2/E
Tapakuma	Yes/1976/1991	nd	nd	nd	nd	nd	nd	nd	nd	nd	No
Siriki	Nd	nd	nd	nd	nd	nd	nd	nd	nd	nd	nd

KEY:

*Village or settlement visits by the LTA (n=42)

Grey font: Village or community not surveyed/not visited

na – not applicable

nd – no data

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