

'Development' versus human rights: the Saamaka Maroons' fight for the rainforests of Suriname



Though Suriname's Saamaka people have already achieved a remarkable victory at the Inter-American Court of Human Rights that guarantees their right to their territory and the rainforests within it, the state's continued push towards extractive development means their fight is far from over, writes [Richard Price](#).

The Republic of Suriname, a former Dutch colony in northeastern South America, has the highest proportion of rainforest within its national territory, and the most forest per person, of any country in the world. In 2007, after a decade of legal struggle, Suriname's Saamaka people – today some 115,000 descendants of self-liberated African slaves – won a signal victory before the Inter-American Court of Human Rights that guaranteed their territorial rights and offered hope of protecting the rainforest that was central to their way of life.



The verdant landscape of Suriname seen from atop the Voltzberg dome ([David Evers, CC BY 2.0](#))

The Saamaka, the state, and territorial rights

The rebel ancestors of the Saamaka fought for nearly a century and finally signed a peace treaty with the Dutch colonisers that granted them their freedom and territory in 1762, a full century before general emancipation. By then they had already developed a vibrant and independent culture – their own language, religion, kinship, and legal system, and much else.

Then, during the 1990s, they suddenly found their territory invaded by Chinese, Canadian, and other multinational logging and mining companies which were extracting resources with the explicit permission of the state.

The constitution of Suriname, an independent republic since 1975, specifies that all non-titled land and resources belong to the state, rendering Maroon peoples such as the Saamaka and numerous indigenous peoples little more than guests on government lands. The constitution also denies the possibility that an indigenous or Maroon people could have a juridical personality and therefore collective rights to property (or to anything else).

After Chinese loggers began to devastate their territory, Saamakas managed to organise their more than sixty villages strung out along the Suriname River for the coming legal battle. In 2000, they petitioned the Inter-American Commission for Human Rights, which ultimately found in their favour in 2007.

For their leadership of this struggle, Saamaka Headcaptain Wazen Eduards and Saamaka law student Hugo Jabini were awarded the [Goldman Environmental Prize](#) (often referred to as the environmental Nobel Prize).

They were cited for:

having guaranteed territorial rights not just for the Saramaka, but for all the Maroons and indigenous people.... In addition, because the case was settled by the binding Inter-American Court, Eduards and Jabini changed international jurisprudence so that free, prior and informed consent will be required for major development projects throughout the Americas.

The Saamaka's victory before the Inter-American Court of Human Rights

Throughout the Saamakas' legal struggle, I served as an adviser and expert witness on behalf of the Saamaka People, having carried out ethnographic work with them since 1966. My book, [Rainforest Warriors: Human Rights on Trial](#), describes the Saamakas' historical and spiritual relationship to their territory, its recent desecration in the name of national development by the state, and the events of the trial itself.

In their landmark decision of 2007, *Saramaka v Suriname*, the justices concluded, after reviewing a great deal of specific testimony (much of it anthropological), that:

the members of the Saramaka people make up a tribal community ... whose social, cultural and economic characteristics are different from other sections of the national community, particularly because of their special relationship with their ancestral territories, and because they regulate themselves, at least partially, by their own norms, customs, and/or traditions.

The justices wrote that henceforth, Saamakas, and other Maroons throughout the Americas (for example in Jamaica, Colombia, Belize, Brazil, and elsewhere), would be treated as equivalent to Indigenous Peoples in international law and subject to the United Nations Declaration on the Rights of Indigenous Peoples.

The judgment also concluded that the state had violated various articles of the American Convention on Human Rights and ordered it to take a series of ten actions, the most important of which were that:

- The State shall delimit, demarcate, and grant collective title over the territory of the members of the Saramaka people...
- The State shall grant legal recognition of their collective juridical capacity...
- The State shall adopt legislative, administrative and other measures necessary to recognize and ensure the right of the Saramaka people to be effectively consulted, in accordance with their traditions and customs, or when necessary, the right to give or withhold their free, informed and prior consent, with regards to development or investment projects that may affect their territory, and to reasonably share the benefits of such projects with the members of the Saramaka people, should these be ultimately carried out...
- The State shall allocate the amounts set in this judgment as compensation for damages in a community development fund created and established for the benefit of the members of the Saramaka people [a total of \$675,000 US].

In other words, the judgment requires Suriname to change its laws (and, if necessary, its constitution) in order to grant the Saamaka people collective title to their traditional territory, as well as considerable sovereignty over it – jurisprudence that henceforth applies to all Indigenous Peoples and Maroons in the Americas.



The Saamaka will need to continue to organise to ensure that their rights are enforced (© 2018 Richard Price)

“Development” versus human rights

The eleven years since the judgment bear witness to the multiple challenges faced by both plaintiffs and defendants in complex cases before the Inter-American Court for Human Rights, where national development (in the form of mining, logging, and other extractive industries) is pitted against the rights of indigenous or Maroon populations.

National development – what the state calls “modernisation” – has continued to drive Suriname’s policies, with scarcely a backward glance at the strictures imposed by the Court.

In its various pronouncements and communications, the state has taken the position that it can resolve the Saamaka situation only as part of a broader reconsideration of the place of all Indigenous Peoples and Maroons within Suriname, unilaterally (and illegally) postponing compliance with the Court’s judgment.

Meanwhile, the Saamaka People have continued to barrage the government and the Court with reports and petitions documenting the state's lack of action in fulfilling the terms of the judgment — but to little avail.

In 2010, Desi Bouterse – ex-dictator, convicted drug dealer, and accused murderer of fifteen political opponents in 1982 – was chosen by parliament to be president of Suriname. In 2015, he was re-elected. Suriname is routinely described by the international media as a narcocracy, a mafia state, and an organised criminal enterprise.

There are no signs that the national government has any plans for its Maroon and Indigenous Peoples other than their assimilation (the sooner the better) into the urban underclass, leaving the country's forested interior free for extractive industries. In this scenario, Saamakas would be replaced in their traditional territory by Chinese loggers, Brazilian gold miners, and in select locations by the weekend vacation homes of wealthy city-dwellers.

On the other hand, the Saamaka People and their Maroon and Indigenous neighbours do have the Inter-American Court on their side. Will they have the patience, and the leadership, to continue to fight what sometimes seems like an interminable bureaucratic and legal battle?

Despite the Inter-American Court's historic judgment, the Saamaka people find themselves forced to draw once again on their proud heritage of three hundred years of collective struggle for self-determination.

Notes:

- *The views expressed here are of the authors and do not reflect the position of the Centre or of the LSE*
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Richard Price

Richard Price is the author of numerous prize-winning books about Suriname Maroons, including [Alabi's World](#), and [Travels with Tooy: History, Memory, and the African American Imagination](#). At the request of the Saamaka People, who purchased 3,000 copies for their schools, he and Sally Price recently translated his book [First-Time: the Historical Vision of an African American People](#) into the Saamaka language as [Fesiten](#). His most recent book, co-authored by Sally Price, is [Saamaka Dreaming](#) (Duke University Press, 2017).