

White Paper

The Rules are Changing: Indigenous Peoples and Social Impact Assessments

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This White Paper intends to help policymakers, private companies, scientists and practitioners who are involved in Environmental and Social Impact Assessments in Suriname. The paper proposes to change the way Social Impact Assessments are conducted by considering international rules, best practices and guidelines and the needs and customs of indigenous peoples. This will give a basis to make accurate interventions and to design social investment programs with a clear sustainable development focus for these vulnerable communities.

Introduction

As the 17th richest country in natural resources globally, Suriname possesses enormous wealth which can only be exploited when the gold, oil, bauxite, diamond and other minerals are extracted from the soil, and then processed and sold to others. More environmentally friendly opportunities exist for national revenue earnings with the trade of freshwater, nature tourism, development of non-timber forest product industries and the conservation of intact forests, currently covering 94% of Suriname's land area. The high forest cover categorizes Suriname as the greenest country on earth and this title is deserved by, amongst others, the indigenous people's conservation efforts.

In the last 100+ years, Suriname's development activities have predominantly concentrated in the coastal area but recently, such initiatives are moving south to areas inhabited by indigenous peoples. Indigenous peoples² reside and use lands which are mostly undeveloped in terms of western standards. These traditionally-living communities depend on the land for food production, gathering of medicine, construction materials and most importantly, visiting sacred sites and exercising rituals which are directly linked to their collective identity. Sometimes, they set up small businesses and sell forest-related goods to local customers to earn some money.

Indigenous peoples increasingly feel pressure to deal with the negative impacts of development activities such as hydroelectric dams, roads, mining and forestry. This pressure is larger than one can imagine; the indigenous peoples possess no rights and title to their land, making them almost voiceless in the preparation and execution of development projects.

In addition, the regulatory framework in Suriname lacks the provision for those initiating development projects (including the government) to mandatory conduct an Environmental and Social Assessment (ESIA). In 2017, only six ESIA's were reviewed by the relevant government entity for the entire country. Most multinational companies adhere to international standards to prepare a full ESIA and submit it to the Government for a voluntary review. However, in most cases, the social part of the ESIA is concise and often is incompliant with the international rights of indigenous peoples.

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² For the Suriname context, Indigenous Peoples refers to all tribally living peoples, including Maroons

Social Impact Assessment

The Social Impact Assessment (SIA) stems from the 1970s and the first guidelines were developed in 1994 in the USA³. The efforts to develop umbrella guidelines has shown that it was better situated under the regulations of donors or financing institutions, such as the World Bank, Inter American Development Bank and others.

The SIA process involves the identification, analysis, monitoring and management of the intended and unintended social consequences of planned development policies, programs, plans and projects⁴. Social consequences are relevant “to human populations of any public and private actions that alter the what in which people live, work, play, relate to one another, organize to meet their needs and generally cope as members of society”⁴.

The scholars and practitioners that work in this field have collectively agreed that a good SIA: 1) is participatory, 2) supports affected peoples and regulatory agencies, 3) increases understanding of change and capacities to respond to change, 4) seeks to avoid and mitigate negative impacts and to enhance positive benefits, 5) emphasizes enhancing the lives of the vulnerable and disadvantaged people⁵.

The SIA consists of interdisciplinary social science including sociology, anthropology, demography, development studies, gender studies, social geography, economics, law, political science and human rights. Generally, the SIA is undervalued in an ESIA study because, historically, the main emphasis is set on the biophysical issues and impacts. This unfortunate practice is reinforced by the fact that the development implementers are usually abstract scientists with little social experience⁴.

Human beings are central to the SIA process. The execution of the SIA is founded on guidelines, principles and core values. Usually the guidelines (IFC etc.) are very well known to development practitioners, but the core values and principles that drive the SIA are often moved to the background (Box 1)⁶. This practice creates gaps and constraints in the current development of SIAs. The objective of this paper is to propose a new way of conducting a SIA according to international standards and best practices incorporating respect for the customs, culture and rights of indigenous peoples living in Suriname.

³ US Interorganizational Committee on Guidelines and Principles for Social Impact Assessment. 1994. Guidelines and Principles for Social Impact Assessment.. <https://www.st.nmfs.noaa.gov/tm/spo/spo16.pdf>

⁴ Centre for Good Governance. 2006. A Comprehensive Guide for Social Impact Assessment

⁵ Esteves, A. Franks, D. and Vanclay, F. 2012. Social Impact Assessment: The State of the Art. Impact Assessment and Project Appraisal 30:1, 34-42.

⁶ Vanclay, F. 2012. International Principles for Social Impact Assessment. Impact Assessment and Project Appraisal 21: 1, 5-12.

Box 1: Core Values and Principles specific to SIA practice

Core Values

There are fundamental human rights that are equally shared across cultures, and by males and females alike.

There is a right to have fundamental human rights protected by the rule of law with justice applied equally and fairly to all, and available to all.

People have a right to live and work in an environment which is conducive to good health and to a good quality of life and which enables the development of human and social capital.

Social dimension of the environment – specifically but not exclusively peace, the quality of social relationships, freedom from fear, and belongingness – are important aspects of people’s health and quality of life.

People have a right to be involved in the decision-making about the planned interventions that will affect their lives.

Local knowledge and experience are valuable and can be used to enhance planned interventions.

Principles

Respect for human rights should underpin all actions.

Promoting equity and democratization should be the major driver of development planning and impacts on the worst-off members of society should be a major consideration.

The existence of diversity between cultures, within cultures, and the diversity of stakeholder need to be recognized and valued.

Decision-making should be just, fair and transparent, and decision-makers should be accountable for their decisions.

Development should be broadly acceptable to the members of those communities likely to benefit from, or affected by, the planned intervention.

The options and views of experts should not be the sole consideration in decision about planned interventions.

The primary focus of all development should be positive outcomes, such as capacity building, empowerment, and the realization of human and social potential.

The term “environment” should be defined broadly to include social and human dimensions, and in such inclusion, care must be taken to ensure that adequate attention is given to the realm of the social.

Gaps and Constraints

SIA's often do not meet the expectations of an inclusive process for indigenous peoples to determine the local acceptability of the proposed project. The following gaps and constraints are identified:

Laws, Regulations and Guidelines

Laws, regulations and guidelines are necessary to arrive at an acceptable SIA for indigenous people and other stakeholders. Only then can the project developers ensure effective implementation.

- *International Regulations.* The international advocacy for indigenous peoples has resulted in an overarching framework - UNDRIP - for recognizing their rights and the creation of opportunities for better participation of indigenous peoples in development projects. Suriname is signatory to the UNDRIP, yet, supplementary regulations for ESIA's on this matter do not currently exist.
- *Guidelines.* In addition to the standard SIA guidelines – IFC or others, the Akwé:Kon voluntary guidelines⁷ for environmental and social assessment is a best practice tool to ensure an integrated SIA approach. These guidelines promote inclusion of indigenous peoples and recognizes the cultural, social and environmental rights they possess.
- *Free and Prior Informed Consent.* The right to free and informed consent is considered a process in which the communities are adequately informed and have enough time to deliberate and make a decision. The nature of this process – a negotiation – is incompatible with the scientifically driven ESIA process. Currently, FPIC is not included in SIAs while it is a fundamental right of indigenous peoples.

Understanding the Community

An important outcome of the SIA is to get a better understanding of how the community works in terms of how it is organized, how the community views and adapts to change and how the community makes decisions⁸.

- *Spatial Boundaries.* Sometimes communities aren't bound to one place and have upstream/downstream settlements of the site being studied. All members of a community should be included in the study so that they can share their perceptions and be included in the projects' decision-making and benefit sharing. If not, side groups may emerge and these can become a hindrance to future operations.
- *Diversity.* The stakeholder groups that exist are well documented in the SIA e.g. government, private sector, civil society, communities and so on. However, most studies consider an indigenous community as a homogenous unit. Identification of the different stakeholder groups

⁷ Akwé:Kon Voluntary Guidelines for the Conduct of Cultural, Environmental And Social Impact Assessment. Convention of Biological Diversity. <https://www.cbd.int/doc/publications/akwe-brochure-en.pdf>

⁸ Esteves, A.M. and Vanclay, F. 2009. Social Development Needs Analysis as a Tool for SIA to Guide Corporate-Community Investment: Applications in the Mineral Industry. Environmental Impact Assessment Review 29, 137-145

within the community (women, elders, youth, hunters, agriculturists, miners etc.) and their specific needs and interests are usually not reflected in the SIA.

- *Local Needs.* The needs assessment is usually excluded because it is traditionally not considered part of the SIA. Yet, new insights emphasize including community needs (and existing assets) in order to better design social investment programs with a clear sustainable development focus⁸.
- *Local Perceptions.* Understanding local perceptions is normal practice in SIA studies. Usually the SIA study team collects the views of the communities. Yet, many times the link between the perception and how it affects decision-making is missing. As a result, the study teams are often unable to accurately calculate the risks to the community.
- *Local Knowledge.* In many SIA studies, traditional knowledge is only documented in an abstract sense, in other words, it is put in a scientific paradigm. When doing this, the study team loses valuable information on the underlying values (why people use the knowledge) and the mechanisms how traditional knowledge is transferred from one person to the other. Another key consideration that is often overlooked is the shared ownership of local knowledge, and how this effects potential intellectual property ownership considerations. These elements make up the root of community cohesion and needs to be thoroughly studied. Loss of community cohesion can pose a significant risk to the new operation.
- *Development Indicators.* Each indigenous community has its own tangible and intangible indicators for growth and development. Numerous times, these indicators are not obtained because the community is asked questions (often via questionnaire) in the western paradigm of development. The real barriers to and opportunities for development remain unknown due to this single lensed approach.

Community Participation

The underlying assumption is that a SIA should first assess impacts on those mostly affected by the project. In case of Suriname, indigenous peoples belong to the most vulnerable groups in the country in terms of human development⁹.

- *Information Sharing.* Indigenous peoples have particular ways of expressing themselves using indirect, metaphorical ways of communication. Once information is prepared and delivered in a western way it tends to introduce bias.
- *Effective Participation.* The indigenous community is often approached only for the benefit of the study e.g. the members have to give information to the study team but have no “power” over what happens with that information. This can lead to problems with community participation and ownership over the project.
- *Study Outcomes.* The explanation of the study outcomes will set the community’s expectation for the project. In many SIAs performed, the outcomes were not well explained and then expectations were set too high which ultimately created problems in project implementation.

⁹ The Human Development Index for this part of Suriname is low: 0.52 compared to 0.70 nationally (2013).

- *Feedback Redress.* The SIA is a study that intends to take a snapshot. The community has no way to bring in feedback in the period after the study has been completed and before the construction/operations starts. This is important to consider given the fact that indigenous peoples typically need more time to process western information (due to their traditional worldview and joint decision-making structures).

A New Way for Conducting SIAs

In developing countries like Suriname, a SIA should make a clear connection between the indigenous communities' development and the proposed project. This means that Suriname needs to expand the current technocratic SIA approach and see the study as an opportunity for betterment of the most vulnerable communities in the country. The SIA should be a tool for any given indigenous community to take a step forward in its own development.

The sustainability focus of a SIA requires a more participatory approach in data collection. The advantage of using participatory approaches is that the data is gathered and processed in the cultural, economic and political reality of the participants. Participatory methods don't need translation (where often wrong assumptions are made). The SIA researcher studies the self-indicated aspects of a community rather than following the usual paternalistic position¹⁰.

We propose the following measures to conduct a SIA to comply with international standards and best practices considering indigenous peoples living in Suriname.

Gaps/Constraint	Recommendations
Laws, Regulations and Guidelines	
International Regulations	Suriname's regulatory agency (NIMOS) develops supplementary SIA regulations for indigenous peoples so every project can effectively address the rights of indigenous peoples as stipulated in the UNDRIP and good practices in the Akwé:Kon guidelines. In every project, make sure the contractor complies with the core values and principles of the SIA (Box 1)
Guidelines	
Free and Prior Informed Consent	Clearly explain the stance on FPIC and how it will be addressed to prevent potential conflicts when the project is in its construction/operations

Understanding the Community	
Spatial Boundaries	Map the lineage of the community to understand its size. Such maps should include all locations of the immediate community members and should strive to identify familial linkages such as clans and other relevant bonds

¹⁰ Lundy, P. and McGovern, M. 2006. Participation, Truth and Partiality: Participatory Action Research, Community-based Truth-telling and Post-conflict Transition in Northern Ireland. *Sociology* 40: 71

Diversity	Develop a stakeholder map for the community including all functional groups (women, elders, miners, traditional leaders, informal leaders etc.). Map their position/interest, importance of issues, power, interaction and conflicts
Local Needs	Conduct a participatory needs analysis using appropriate qualitative/quantitative techniques. Use a number of field methods – Sondeo ¹¹ , social mapping, scenario planning, questionnaires, focus groups, expert views. Triangulate the multiple sources of data to best approximate the needs
Local Perceptions	Conduct a perception study where there is a link made between the community's perception and its decision-making. Use appropriate methods e.g. VIEW Framework ¹² . Update SIAs every five years as good practice.
Local Knowledge	Study the traditional knowledge system in its <i>totale</i> , using the Akwé:Kon guidelines
Development Indicators	Use participatory methods to filter which indicators are important for the community in its development path e.g. focus groups, mapping

Community Participation	
Information Sharing	Use physical models and drawings to explain the proposed project to the community to prevent misinterpretation
Effective Participation	Involve the community from day 1 in the SIA. Involve them in data gathering (let them do questionnaires themselves with open-data kits). Involve them in data processing by verifying/sharing results before they are made public. Involve them in presenting the data to other stakeholders to increase ownership
Study Outcomes	Use physical models and drawings to explain the risks and mitigation measures to the community to prevent misinterpretation
Feedback Redress	Create mechanism to receive and handle feedback during the period after the study is completed and the project construction/operation starts

¹¹ Hildebrand, P.E. Ruano, S. 1982. El Sondeo. Folleto Tecnico 21. Instituto de Ciencia Y Tecnologia Agricolas

¹² Smith, G. and Bastidas, E.P. 2017. Conflict and Sustainability in a Changing Environment: Through the Eyes of Communities. Anthem Press, London/New York.