

**LAND POLICY, ADMINISTRATION AND  
MANAGEMENT: THE SURINAME EXPERIENCE**

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## 1.0 INTRODUCTION

Section 2 contains an overview of the land management problems and challenges that emerged in Suriname during the past three centuries. This section surveys the origin, development and current status of land management issues in the country. The present land management challenges facing Suriname today are related to historical and geographical factors, while during the various historical periods political, economic, cultural and demographic developments influenced the emergence of these challenges. Several historical periods and landmarks can be distinguished that have led to economic formations in different regions of the country.

Pre-1650	Country populated by indigenous groups.
1651-1770	Development of the plantation economy on the coastal area. British colonize Suriname under increased resistance from indigenous population. After the takeover by the Dutch in 1667 peace is concluded with the indigenous population and the number of plantations increased from about 100 to over 500. Formation of escaped slave communities, Maroon wars begin to threaten plantation economy in the 1750s.
1770-1870	Decline of the plantation economy on the coastal area. The number of plantations decreases to about 130.
1870-1920	The first gold mining boom in the interior (followed by a rapid decline). Number of plantations dips below 100, development of small-scale farming in the rural coastal areas.
1920-1950	Emergence and domination of the bauxite industry. Only a handful of plantations still operational, small-scale farming dominates agricultural production.
1950-1980	Development of hydropower and aluminum industry; emergence of mechanized large-scale agriculture.
1980 to 1992	Political crises and economic decline, emergence of informal gold mining and large-scale timber extraction by foreign companies, oil industry emerges.
1992 to date	Restoration of peace and democracy, several efforts to stabilize the economy; the situation remains very critical. Efforts to maintain the bauxite industry by developing inland mines and to revive the large-scale agricultural sector. Progress in aquaculture, forestry and oil, formalization of gold mining underway.

This background information is presented to give the reader an indication of the issues and challenges that have to be dealt with in developing a new land policy for Suriname. The challenges involve political, economic, social, human rights and environmental issues that have to be resolved in order to ensure the development of an efficient, equitable and sustainable land management system.

The need for a Suriname Land Management Project (SLMP) was identified during the process of preparing the Agriculture and Trade Policy Reform Loan (ATPL). Government of Suriname (GOS) officials realized that numerous issues related to land

were constraining its efficient and effective allocation, use, and management. The GOS determined that these land issues needed to be addressed in a timely manner in order to compliment the policies and activities promoted under the ATPL. In this regard, the GOS asked the IDB to allocate funds from the ATPL to conduct the Land Use Policy and Administration Feasibility Study (hereinafter abbreviated as Feasibility Study).

The initial overall concept of the SLMP is to improve the allocation and use of land resources as a basis for sustainable economic and social development and environmental protection. To achieve this objective the GOS would initiate the SLMP with assistance from the IADB in an effort to:

- develop an integrated land policy
- modernize land legislation
- improve/expand delivery of land management services
- provide reliable land information
- rationalize the allocation and pricing of State land
- improve land use planning and development

A three-phased approach to addressing the land management and administration issues was envisioned by GOS. The first phase was the feasibility study, which undertook a diagnosis of land management and administration issues in Suriname. The second phase is now underway and involved the development of the project proposal for the funding and implementation of the SLMP. The final phase will be the implementation of the SLMP.

Section 3 surveys the land management institutions and the challenges they face. Most of this information emerged during the course of the feasibility study. Section 4 looks at the land administration departments and the issues they face. The issue identified here also emerged during the implementation of the feasibility study.

## 2.0 COUNTRY PROFILE

### 2.1 Basic Information on Suriname

Suriname is located on the north-coast of South America, bordering on the Atlantic Ocean, with French Guiana to the east, Guyana to the west and Brazil to the south. The total area is 163,270 square kilometers, and with a population of less than 450,000 it is one of the least densely populated countries in the world. The ecological and forest diversity in Suriname is determined for the most part by four ecological zones (Mittermeier et al 1990):

*The young coastal plain* - 0-4 meter above sea level, consists of swamp clays, mangrove forests, open swamps with vegetation and several types of swamp forest.

*The old coastal plain* - 4-11 m above sea level, consists of swamp clays and sand ridges covered with grass and lush swamps, swamp forests, dryland forests and large areas of peat swamps.

*The savanna belt* - 10-100 m above sea level, a plain consisting of bleached quartz sands and loam, dryland and swamp forests, and dry to very wet grass and scrub savannas.

*The interior* - up to 1230 m above sea level, rugged terrain consisting of rolling hills on the ancient Guiana Shield covered with tropical rain forest, interrupted by marsh forests along rivers and creeks. Here and there granitic inselbergs and mountain ridges rise above the dense forest cover.

**The Population:** The original inhabitants of Suriname are the indigenous peoples. They live in some 30 major villages located for the most part in the savanna area and in the remote interior of the country. The Carib and Arowak villages are located along the savanna belt that stretches from the east to the west of Suriname, while the Trio and Wayana villages are located along rivers in the tropical rainforest of South-Suriname.

During the early years of the colonial era over 300,000 African were transported to Suriname to work on the plantations as slaves. The plantations were established in the coastal area, initially on higher ground in the old coastal plain and savanna areas. After the Dutch took over the colony of Suriname from the British in 1667, dikes and sluices were built to make the low lying areas of the young coastal plain suitable for plantation agriculture. By the middle of the 18<sup>th</sup> century over 500 plantations had been established in the colony. Soon after the Dutch took over the colony of Suriname from the British, the town of Paramaribo emerged as the main urban center and it became the capital of the country.

The indigenous population did resist the settlement by white colonizers in the coastal area, and in 1678 the Caribs took advantage of the still weak Dutch presence by initiating a six-year guerilla war. In 1684 the Dutch governor concluded a peace treaty with the last to resist the European incursion into the country, and the Amerindians withdrew into the

forest and avoided contact with the European colonizers, save for the trade in weapons, ammunition, metal implements and cloth.

Through rebellion and escape during the 17<sup>th</sup> and 18<sup>th</sup> centuries thousands of slaves freed themselves from their white masters and settled in groups on the banks of the rivers of the interior. The newly formed communities grew steadily in size until they began to present a military challenge to the plantation economy. The escaped slaves, know today as Maroons, raided the plantations to meet their need for metal implements, weapons and ammunition, but also to recruit new member, especially women, to develop and expand their societies. Peace treaties were signed with the Aukaner Maroons of south-east Suriname in 1761 and with the Saramaka and Matawai Maroons of Central Suriname in 1762 and 1776. The treaties stipulated that the maroons would only travel to town in small groups after receiving a pass from the government representative in the region, that they would refrain from attacking plantations and would return any new escaped slaves. The colonial government, in turn agreed to supply the Maroon with the merchandise they needed to survive in the rainforest. Three smaller Maroon groups, the Paramaka, Boni and Kwinti were formed after this period, but in the 19<sup>th</sup> century the colonial government also concluded similar treaties with them.

Around 1853 the Dutch government sponsored an immigration program for Dutch farmers. Initially they settled in Groningen, the capital of District Saramacca, but eventually most moves to the western and northern outskirts of Paramaribo to become active and agriculture and animal husbandry. Until a few decades ago they were important suppliers of milk, beef and agricultural produce. After the abolition of slavery in 1863, most of the ex-slaves left the plantations or settled on estates that they would eventually end up inheriting or owning. An effort was made to halt the decline in plantation productivity by importing indentured laborers mainly from India and Indonesia (Java). After completing the required labor contracts on the plantation most indentured laborers also left the estates and established small farms. Many Indians settled along roads around Paramaribo and became producers of rice, vegetables, fruits and meat that were transported to the main market in town. Others settled in Nickerie and Saramacca and south of Paramaribo in the District known today as Wanica. The Javanese settled in communities in the Commewijne and Saramacca districts, but also in areas north, west and south of Paramaribo. The capital city gradually increased in size as former slaves and indentured laborers settled both in the downtown area and in the outskirts of Paramaribo.

The settlement patterns of the population today still reflect to some extent these historical developments, though Greater-Paramaribo has grown into a multi-ethnic municipality of over 250.000 persons. Today about 65% of the population lives in and around Paramaribo, approximately 25% lives in the rural-coastal areas, while the interior population should be around 10 percent of the total. A census is soon to be held and the results of this activity should give us a better idea of the distribution of the population across the various regions in the country.

<b>Table 1</b>		
POPULATION OF SURINAME		
(CBB estimates 2000)		
<b>COASTAL AREA</b>		
Paramaribo	233.882	
Wanica	77.115	
Nickerie	34.464	
Coronie	2.911	
Saramacca	13.695	
Commewijne	22.012	
Para (coastal)	12.005	
Marowijne (coastal)	7.166	
<b>TOTAL COASTAL AREA</b>		403.250
<b>INTERIOR</b>		
Para (interior)	3.370	
Marowijne (interior)	6.318	
Brokopondo	8.039	
Sipawini	24.696	
<b>TOTAL INTERIOR</b>		42.423
<b>TOTAL SURINAME</b>		445.673

**The Pre-colonial period:** The indigenous inhabitants of Suriname relied on a subsistence economy for survival. Shifting cultivation and gardening were the main source of starches, vegetable and fruits, hunting and fishing the main sources of proteins. In the coastal area, however, areas with the remnants of more permanent systems of agriculture were located. Gathering was also an important source of food. Because the indigenous communities were rather small it is generally assumed that these groups were politically acephalous (head-less), implying the absence of a strong or centralized leadership. Cohesion came through family ties, charismatic leadership and marriage alliances with members of other groups. Apparently strong leaders did take control of the indigenous societies during periods of war. During the six-year war of resistance mentioned above, a strong leader by the name of Kaikusi led the indigenous fighters in the struggle against the Dutch colonial settlers. The indigenous population withdrew from the areas surrounding Paramaribo and the land that was cultivated under the plantation system.

**The Emergence of the Plantation Economy:** Historically the coastal area has been the setting of large-scale agricultural activities. In 1651 the British occupied Suriname and in 1667 the Dutch took over the colony. At that time about 100 plantations were in production. During the 18<sup>th</sup> century the Dutch established some 500 plantations with slave labor on the fertile clays in the coastal area. The main products were sugar, coffee, cacao and cotton. The emergence of the plantation economy in the coastal area based on slave labor ended up partitioning the country into two zones with different characteristics. The indigenous population migrated to the margins of the plantation zone or further south to make room for the new social and economic order of the European settlers. For the Europeans the southern part of the country, what today is referred to as the interior,

remained an unexplored wilderness where the indigenous people could freely settle and subsist, as they had done on the coastal area prior to 1651. The Europeans developed the coastal area on the basis of western cultural, social, economic and political traditions and in this process the colonial trade economy of Suriname emerged.

African rebel slaves, who freed themselves by escaping from the plantations used ties of kinship as the basic ordering principles to develop their social, economic and political institutions. After the onset of the 18<sup>th</sup> century the interior of Suriname was inhabited by both indigenous and Maroon societies. The fertile alluvial clays of the coastal area were necessary and sufficient to sustain the agriculture sector of the colonial trade economy. There was more than enough space in the hinterland to accommodate both the indigenous and Maroon populations, as long as they did not attack or interfere with production on the coastal plantations.

**Decline of the Plantation Economy:** Peak production in the plantation economy was reached around 1770, but after the economic problems and the stock market crises of 1773 in the Netherlands investment in agricultural undertaking in the colonies lagged behind earlier years and production began to decline. After the abolition of slavery in 1863 the decline of the plantation economy accelerated. Attempts to reverse this decline by importing indentured laborers did not have the intended effect, As noted above, after completing the required labor contracts on the plantation most indentured laborers also left the estates and established small farms in the coastal area. By the 1950s there were only a handful of plantations still in operation. At that time about 90% of agricultural produce came from small-scale enterprises managed by former or descendants of indentured laborers, the Hindostani and Javanese farmers.

**The First Gold Mining Boom:** A new economic era dawned in Suriname with the discovery of gold in 1870s. Concession-owning companies replaced the plantations as the major players in the colonial economy. The extraction industry by its very nature requires the operator move on to any part of the country where the potential for mineral discoveries is good, or where forestry products can be harvested economically. In the 1870s gold miners explored locations in the remote interior. Access was by rivers flowing through the rugged interior terrain consisting of rolling hills on the ancient Guiana Shield covered with tropical rain forest. The many cataracts and waterfalls in the interior rivers make navigation and the transportation of cargo a major challenge.

With the decline of the plantation economy almost complete the country had a pressing need for new sources of State income. The determination to develop new economic opportunities was strong, and this meant incursions into the traditional settlement areas and this of the kin-based societies of the interior. At the end of the 19<sup>th</sup> and the beginning of the 20<sup>th</sup> centuries the reconnection of the coastal area and the interior built up momentum. First came the gold boom, which petered out rather quickly after a production peak of 1200 kilograms in 1912. During this short interlude, however, a 180-kilometer railroad was built linking Paramaribo to the gold fields along middle Suriname River, an area populated by Saramaka maroons. With the incursions of gold mining companies into the territories of the kin-based societies around 1900 a process was set in

motion that would see competition for natural resources grow stronger and stronger as the 20<sup>th</sup> century unfolded.

**Emergence of the Bauxite Industry:** Soon after the decline of the gold industry a new mineral began to play a leading role in the Suriname economy. At the end of 1916 representatives from Aluminum Company of America (Alcoa) established the Surinaamsche Bauxiet Maatschappij (SBM; Suriname Bauxite Company) in Suriname. During the years that followed they bought up many of the known bauxite deposits and in 1925 the SBM started constructing a mine in Moengo, an abandoned Ndyuka Maroon village, about 100 kilometers east of Paramaribo, along the Cottica River. A few years later, in 1926, the SBM bought the Rorac mine along the Suriname River some 30 kilometers south of Paramaribo. Several other mines would be developed in this area in the years to come. In 1938 a Dutch bauxite company (N.V. Billiton Maatschappij) was established in Suriname. The high demand for aluminum during World War II saw production peak in 1943 at 1.660.000 tons. Production dropped immediately after the war, only to increase again to over three million tons by 1953. In 1964 the production of bauxite topped four million tons, two years later it was five million. Peak production was achieved in 1973, when Suriname produced almost seven million tons.

**Hydropower and Aluminum:** In the 1960s ALCOA built a US \$ 150 million dam for the production of hydroelectric energy at Afobakka, some 100 kilometers south of Paramaribo, which created a 1500 square kilometer lake. Some 6000 Saramaka Maroons were forced to relocate to existing villages above the lake or to newly created transmigration villages below the lake. An alumina<sup>1</sup> refinery and an aluminum smelter were built at Paranam, 30 kilometer south of the capital city. The installed capacity of the aluminum smelter was 60.000 tons, but water levels in the lake did not match expectations, forcing Suralco to shut down half of the unit. In 1999 the aluminum smelter was shut down altogether, but the production of alumina remains high at about 5000 tons per day. Today the economy of Suriname is still dominated by the bauxite industry, which accounts for more than 15% of GDP and 70% of export earnings. Yearly about 300 million US Dollars of alumina is exported.

Gold mining has always taken place in the interior, where the weathered basement rocks emerges above the topsoil, or where it is economically feasible for smaller operations to access the gravel layers and other ore bodies containing gold. Today gold is once again a significant revenue earner in the country, but it is also the source of massive environmental degradation including the pollution of inland waterways by small-scale mining. There is a boom in gold mining, but most of the extraction takes place in the informal sector. The government has trouble collecting taxes and royalties from the miners working in remote interior locations and the trend has been to encourage large-scale gold mining projects foreign companies that would operate in the formal economy. One such project is an 100 million US Dollar investment in the Gros Rosebel mine, which is slated to come on line next year and produce about six to seven tons of gold per annum. The government will also be able to secure direct revenues from gold extraction through the formal sector.

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<sup>1</sup> The intermediate product in the process of extracting alumina from bauxite.

Traditionally the extraction of bauxite has taken place in the old coastal plain, but as deposits in the coastal area are nearing depletion exploration for new mines are now underway in the interior. The major mines at Moengo and Lelydorp will be depleted by 2006. Other proven reserves exist in the east and west of the country, however, distance and topography make the development of these deposits costly. Options are being explored to find cost-effective ways to develop new mines. At the close of the 20<sup>th</sup> both gold and bauxite mining companies are moving further into the traditional territories of the kin-based societies and competition for natural resources has grown significantly stronger.

**Modern Mechanized Agriculture:** In the 1950s, with support from Dutch development aid, mechanized rice farming was introduced. The Foundation for the Development of Mechanized Agriculture in Suriname was created. The Wageningen project was one of the first major initiatives in mechanized rice farming. A 5000 hectare farm was established and some 64 Dutch families immigrated to manage individual farms. The project was very successful and by 1975 large-scale agricultural undertakings dominated the sector in terms of production. By the early 1980s production in the rice sector peaked at 300.000 tons of wet paddy.

In the 1960s production of bananas became increasingly significant. Two large plantations were established, one west of Paramaribo at Jarikaba, and one in Nickerie. Regular export to Europe took place with ships built especially for the transport of the fruit that would ripen while in transit. In the 1970s two palm oil plantations were established, one in Victoria, some 80 kilometers south of Paramaribo, and the other at Patamacca, some 40 kilometers south of Moengo. The palm oil factory was established at Victoria, and in addition to local consumption Suriname began to export palm oil.

**Political and economic challenges:** In 1975 Suriname became independent. A bilateral treaty fund was set up by the worth about one billion US Dollars at the time. The post-independence period was one of optimism for the bauxite industry and the treaty fund assured a steady foreign currency income. The government assumed to lead role in the development of the economy and began investing hundreds of millions of dollars in the Kabalebo project - a project to mine and process bauxite in Western Suriname. Another hydro-lake was anticipated, several times larger than the Brokopondo lake, that would provide energy to an alumina processing plant and an aluminum smelter. A 60-kilometer railroad would connect the mine site in the Bakhuis Mountains to the Corantijn river. The railroad was built, but the dam and the processing plants were never built. A few years after the project idea was launched pessimism set in. Questions began to surface about the preparation of the project. Certain fundamental issues were not resolved yet, such as the water rights agreement with Guyana to divert water from the Upper-Corantijn to the lake. Funding was also an issue. Only a small portion of the large investment needed to complete the project had been secured.

A labor conflict between the military and the government came to a head when the leaders of an effort to establish a union in the military were jailed. On February 25<sup>th</sup> 1980

the military took over the country. Human rights violations during the seven years of military rule that followed prompted the Dutch to suspend development aid. In 1986 an internal war broke out initially pitting a group of rebel insurgents against the military. In 1989 the conflict expanded and several other contra-guerilla groups became involved. During this conflict millions of dollars of damage was done to industrial and agricultural facilities in the rural and interior areas.

In 1987 democracy was restored and the traditional political parties returned to power with a landslide election victory. In 1990 the military removed the elected government for the second time again, but within six months a plebiscite was held and a democratically elected government was sworn. In 1992 a peace accord was signed with the guerilla groups, and the government gradually restored its authority in the rural and interior areas. The decade of turmoil, however, took its toll and the economy suffered significant setbacks. The Suriname Florin declined in value by over 1000% percent and this trend would continue to this date. Today the Suriname Florin is again declining in relation to the US Dollar, the parallel market rate has passed 3200 and continues to on a downward trend. During the 1990s the rice production figure declined from the peak in 1982 of 300.000 tons of wet paddy to less than 200.000 tons. The palm oil plantations established in the 1970s would go out of business and both banana plantations would also cease production.

**Animal husbandry,** Both the young and old coastal plain are suitable for animal husbandry, and large cattle farms have been established near the sea and up to the transitional zone between the old coastal plain and the interior region. Chicken and hog farms are scattered throughout the coastal area. The chicken industry is growing but has had its ups and downs during the past two decades, particularly from competition of cheaper chicken imported from the United States. During the 1990s the herd of cattle has increased. A significant investment was recently made in a modern meat processing plant in order to comply with the more stringent export requirements, but the plant was unable to start production and went into receivership.

**Fisheries and aqua-culture :** Shrimp production and export from coastal fishing was an important export commodity, but during the 1980s and 1990s catches have declined significantly, probably from over-fishing and destruction of the fragile breeding areas. Alternatives are being developed. Along the coastal area several shrimp and fish farms have been established and it is estimated that in five to ten years the export value of shrimp produced on farms may actually bypass that of fish caught in the sea. Suriname is making an effort to control its sea resources on an ongoing basis, but the vast area to be policed and limited resources hamper this effort.

**Oil:** While overall the economy stagnated or declined during the 1980s and 1990s, Suriname's small oil industry has been a success story. In the 1960s deposits of oil were found along the young coastal plain near the small town of Calcutta in the District of Saramaka. In December of 1980 State Oil Company was incorporated and over the years this company has managed to secure the necessary expertise in technique and management to become a steady producer of the reserves that were subsequently located.

Of the 170 million proven reserves some 42 million have already been produced. At this time the Tambaredjo field operated by the State Oil Company produces 12.250 barrels of crude a day. Suriname boasts a small refinery that produces diesel, heavy vacuum gasoil, fuel oil and asphalt -bitumen. The annual turnover is about 100 million US Dollars with a gross profit of 37 million. The prospects for larger offshore oil deposits are promising, but to date no commercially viable deposits have been discovered.

The State Oil Company has an excellent record in dealing with land access issues. Many of the oil wells are located on rice farms or private property. A 60-kilometer pipeline runs through private properties. The company has been successful in securing the cooperation of private owners and this is in large part due to a good company policy on public relations and tactful handling of claims. To date the company also has a good environmental record. It has developed a sound environmental policy and secured the resources and trained the manpower to implement this agenda.

**Forestry:** The country has one of the highest percentages of tropical rainforest cover in the world. About three quarters of the surface area, between 14 and 15 million hectares, is covered with rainforest, making the country an attractive source of tropical hardwoods. The 1990s saw several foreign investors secure major timber concessions in the interior, but most of these companies have not fared well or have gone out of business. Several conflicts emerged when timber companies secured concessions in area farmed by Maroon or Indigenous peoples, and significant environmental resistance has been voiced against the more vigorous harvesting methods of the foreign companies. Chamber of Commerce is now active in developing joint operating schemes among local timber companies. Programs include training in harvesting methods as well as in the production and drying of timber.

**Tourism:** Though development in this sector lags behind other countries in the Caribbean, the number of actual tourists - as opposed to family visitors - is increasing every year. The number of nationals visiting recreation sites in the savanna belt area is also increasing substantially. Several companies have now ten or more years of experience in operating resorts both in the savanna region and the interior. Protecting the environment around potential and actual tourism sites is a growing issue in Suriname, as the extraction industry is moving south in search of new deposits that can mature into economically viable mines. The Suriname Aluminium Company (Suralco) is now drilling for bauxite in the middle of the Brownsberg mountain range, the most important tourism attraction in Suriname. The Brownsberg Nature Park has had about 20.000 visitors last year, and this number is likely to increase in the years to come. To be sure, the bauxite industry is the backbone of the Suriname economy. The mining industry, however, extracts non-renewable resources, whereas tourism should ideally develop economically sustainable products. Therefore, it may make sense in the short term to mine the Brownsberg Mountains for bauxite or gold, but the long term benefits of tourism will most certainly outweigh the short-term benefits of mining. The government needs to develop a clear zoning policy for tourism and the extraction industry in the near future, so that investors will not be discouraged from developing new resorts or from maintaining existing ones.

**Future challenges:** It is clear that several sectors including a large-scale agriculture are in serious trouble and need significant technical assistance and investment to spur a revival. Other sectors such as aqua-culture and the oil industry are doing quite well and are expanding rapidly. A major investment in the formal gold mining sector is now being made and the spin-offs from this industry will have a significant impact on the national economy. Land will play an important role in all these efforts. Competition for land resources in the coastal area will also increase as efforts are made to revive existing sectors or develop new ones. It is important that good resource and land management systems are in place to facilitate these developments, but also to ensure equity and sustainable development.

The expansion of the mining and processing of bauxite, as well as the mining and refining of gold, are likely to be the country's main hope in foreseeable future, although dependence on these resources is potentially problematic. For how is the government going to guarantee security to foreign investors in a vast and sparsely populated interior that is difficult to control? Not only the economic and technical feasibility of projects should be considered, but also political factors and policy decisions that may serve as a catalyst for renewed crises in the country. For the past three decades governments in power have been confronted with increasingly vocal demands by the population of the interior to recognize their right to the land they live on and to guarantee access to and preservation of the resources they need to subsist. Moreover, both the indigenous and Maroon populations of the interior are also asking the government to recognize their right to maintain their way of life in the context of the nation state.

The uncontrolled extraction of resources in the interior is also having a devastating impact on the environment and in some cases on the health of the local population. Hydraulic mining operations are causing massive siltation and expulsion of mercury pollution in rivers throughout the interior, often upstream from villages. The unstructured communities of thousands of miners are plagued by many social and health problems, including high crime rates, prostitution, and an increase in diseases such as malaria. Uncontrolled use of malaria drugs has bred resistance and the tailing ponds have provided a new breeding environment that has greatly increased the population of the carrier. The traditional authorities do not have the means to control the situation and several conflicts, some of them violent, have occurred in mining areas.

The extraction of timber does not always take place according to prescribed regulations, leaving devastated forests behind, but also reducing the opportunity of the damaged forest to regenerate. Lumber extraction on land used by indigenous and Maroon peoples is reducing the game population and depriving these communities of the resources they need to survive. Environmental pollution such as siltation, mercury pollution and deforestation can have a negative impact on tourism. Rumors of mercury pollution are enough to scare tourists not to eat fish or to avoid certain areas. Deforestation disfigures landscapes that would otherwise serve as a tourist attraction.

The table below lists the main economic activities in Suriname and the area or regions in which they take place. The table gives an indication of the potential or actual areas in which competition for land, mineral and forest resources is strong.

**Table 2**

LOCATION ACTIVITY	Ocean/ivers	Coastal Plain	Savanna	Interior
Fishing (shrimp/fish)	X			
Oil	Potential	X		
Industry		X		
Shrimp/fish farming		X		
Agriculture (large-scale)		X		
Agriculture (small-scale)		X		
Animal husbandry		X		
Cattle		X	x	x
Construction sand	X	X	X	x
Bauxite/Alumina		X		After 2006
Tourism		x	X	X
Forestry (lumber)		x	X	X
Subsistence farming		x	X	X
Hunting/Gathering			X	X
Hydro-electric dam				X
Construction aggregate	X			X
Palm Oil Plantations				X
Gold				X

## 2.2 National Land Resources

Suriname has a land area of 163.820 square kilometers. Commercial agriculture and manufacturing are confined to the coast, which is inhabited by 90% of the population although it accounts for only 10% of the total land area. Most of the bauxite mining takes place in the old coastal belt, but this will change as current reserves at these locations are depleted in 2006. New mines are being developed in the interior. Gold mining takes place further inland, mostly in the "greenstone belt," a geological formation that runs from Goliath Berg in the northwest to more remote mining sites along the Lawa river in south-east Suriname. This geological formation covers an estimated 5 to 10% of the land area. Timber extraction was traditionally confined to the "forestry belt," a 10-40 kilometer wide girdle that runs east-west between the coastal area and the interior zone. A well-developed road network cuts through the forestry belt estimated at 1.4 million hectares, of which 600.000 are suitable for timber extraction. This situation is changing too. Foreign investors are now developing techniques to move further south and extract timber from locations that were not considered economically viable.

An agricultural census was made in 1981, but as we can surmise from the brief historical overview of the national economy, a lot has changes during the past twenty years. Let us briefly review these figures and point to where major changes have occurred.

Of the total 16.4 million ha of land in Suriname, 1.5 million ha are considered suitable for agriculture. As noted above, the coastal plain area is characterized by low-lying land (0-4 meter above sea level) with a level topography and fertile heavy clay soils interspersed with sand and shell ridges. As the Dutch discovered during the colonial period, when drained many locations in the coastal plain are very suitable for agricultural production. The soils of the interior, on the other hand, have a shallow humus layer, are less fertile and access is difficult and costly. The interior, however, is the setting for shifting cultivation practices by the Indigenous and Maroon communities. Information on land utilization in the interior, where root crops, dry land rice and oranges are cultivated, is not available. Although no exact figures for the areas under cultivation and the amount of fallow land on reserve are available, along the middle-Suriname river alone shifting cultivation may account for an area of 50.000 hectares or more.

According to the 1981 census approximately 120.000 ha was under cultivation in the coastal plain. In those days about 65.000 ha was earmarked for annual crops while rice was by far the most important commodity. Some 61.400 ha was devoted to rice alone. This situation has changed dramatically. Wageningen is barely surviving and needs a major restructuring and investment program. Approximately 30.000 ha is now in cultivation for rice, about half of the area twenty years ago. Semi-annual crops amount for about 3000 ha of which banana covered 2.200 ha. Although there was an increase in the area in production since 1981, with the closing of the banana plantation these figures will have declined significantly. Acreage under multi annual crops account for 7.300 ha of which palm oil trees covered 2.800 ha, coconut 1.260 ha and oranges 1.860 ha. Again, with the closing of the palm oil plantations these figures will have declined significantly. Efforts are now being made to revive the palm oil plantation in Patamacca. Pasture land is estimated at 30.000 ha, but again this figure will have changed and may have even increased..

This information clearly indicates the need for a new agricultural census, but also for a survey of the forestry and mining concessions and the land areas involved.

### **2.3 Land Tenure Information**

There are presently five types of valid title by which rights to own land have been issued by the government: allodial ownership, absolute (freehold) ownership, lease hold, land lease and simple rent.

*Allodial ownership and inheritable property:* this title was issued by the Dutch during the colonial period under the conditions that the land would be developed and kept in cultivation. The owner also had the responsibility to contribute to other services that would promote the welfare of the nation, including security. Land not cultivated could be returned to the domain of the State. Allodial title is treated today as absolute ownership even though this may not be legally accurate.

*Absolute ownership (BW-Eigendom, freehold under civil law):* This is the most complete title to land available in Suriname. There are no limitations imposed by the State, the owner has full and unlimited enjoyment of the land within the context of the law. Only a limited amount of land was issued under this title, again due to the fear that the land would be used for speculation or would be left uncultivated.

*Leasehold (Erfpacht)*: This was the most common title issued between 1937 and 1982. The term was for a period of 75 years and the owner had to pay an annual fee. Separate leasehold titles were issued for agricultural land. In 1938 several Javanese communities in the coastal area, but also four Indigenous villages in District Para were issued communal leasehold titles. These titles could not be alienated or mortgaged and thus differed from the standard leasehold title. In 1981 the Village Communities Act was repealed and these titles were automatically terminated.

*Land lease (grond huur)*: This is the only title that can be issued after the 1982 and it is issued for land to be used for habitation, agriculture and animal husbandry, industrial purposes and for special purposes. The nature of the use is specified in the title and permission must be obtained from the government to alter the intended use of the land.

*Simple rent*: A transitional title issued by the government to individuals for land in areas of which the zoning destination has not been determined yet. Also issued in anticipation of completion of the administrative procedure to obtain a land lease title so that the person in question can begin to conduct agricultural or other commercial activities. This title is personal and not transferable.

The land tenure system of coastal Suriname was originally designed to promote and guarantee a high level of productivity in the agricultural sector. The main purpose of the agricultural enterprises established in the coastal area after 1650 by white settlers was to supply the European owners of Suriname with tropical agricultural products such as sugar, coffee, cacao and cotton, but also with exotic tropical hardwoods. Land was issued under the condition that it must be cultivated. It was noted that throughout the land tenure history of the coastal area the State reserved the right to reclaim allocated land not being cultivated by appealing to expropriation procedures. The Suriname land tenure law in effect today is still influenced by the tenure system established in the 17<sup>th</sup> century. Today the State leases land to a person under the conditions that the obligation to develop (“cultuurplicht”) is met. Though the land tenure laws changed several times during the past three centuries, the Government of Suriname always insisted on maintaining a certain measure of control over land through a development obligation and by leasing land. Land was rarely issued as private property. Even though this was possible after 1865 and specifically legislated in the Agrarian Ordinance of 1937, only about 100 private property titles were issued. Table 1 summarizes the land areas involved under the various tenure regimes.

**Table 3: Land tenure titles by land area**

<b>Ownership</b>	<b>Years of Lease</b>	<b>Area ha</b>	<b>Percent of total allocated</b>
National land area		16.382.000	
Allodial (freehold)	Unlimited	37,000	21.7
Private lease agreements		3,600	2.1
Leasehold (erfpacht)	75	46,500	27.4

Land lease (grondhuur)	40	26,200	15.4
Other Forms*		56,700	33.4
<b>Total allocated</b>		<b>170,000</b>	<b>100</b>

\* Government owned land, communal ownership

These figures indicate that "in terms of gross magnitude of land per capita, Suriname has an abundant supply of land." On the other hand, land that is appropriate for housing and agriculture in the coastal area is not abundant. In the urban and peri-urban areas, where population pressure is high, most available building lots are low and have to be filled up with substantial amounts of fill-sand before construction can take place. As noted earlier, most agricultural lots require irrigation schemes with dikes and sluices to control the water supply in the dry- and rainy seasons.

In 1982 a major revision of land legislation took place. During the seminar in November of 1981 to pave the way for the introduction of the new land tenure laws, the leader of the Military Authority described what he considered to be the main shortcomings of the land management system prior to the military take-over in 1980.

- Corruption, political and personal favoritism: Under the current process of allocating land prominent persons get large lots, poor people who need the land to survive get none.
- Many who have received land have not complied with the obligation to develop the land. This is a crime because others who are eager to use land productively have been waiting for years to get a parcel.
- Enforcing the obligation to develop the land is complicated by the fact that persons who received land cannot be found, many left the country.
- Some land that was allocated is being cultivated but not by the persons who received title. Land that was received practically free of charge is being used to exploit other persons who have to pay high rental fees for the use of these lots.
- Land originally issued for agricultural purposes, was parceled out into smaller lots that were sold for the construction of housing. Adequate infrastructure was not provided in these housing schemes and as a result shoddy neighborhood formation took place.
- Poor people who do not have access to land have squatted on lots not belonging to them. Even though this is understandable, it is wrong nevertheless.
- There are thousands of requests for land pending as a result of the lengthy procedures that have to be followed to acquire a plot. Persons are waiting five years or more for a lot of land. The procedures for acquiring a plot of land are not transparent and the bureaucratic hurdles that delay the process have promoted corruption. By paying a bribe one could expedite the procedure or circumvent it altogether.

- And finally, the lack of adequate control prevents the Government from enforcing the conditions under which land was issued.

Most important, however, is the conclusion of the Leader of the Military Authority that these shortcomings have led to an unbalanced development of the Suriname economy. During the next presentation this conclusion was reiterated and the speaker added that whatever the intent of the management system, land must be an integrated component of the economic process and contribute to the prosperity of the Nation. Therefore, land should be collectively owned and the right of ownership to land should reside solely with the State. As noted above, only foreign nations wishing to establish representation in Suriname would be able to obtain private property rights for embassy buildings.

From 1982 on only land lease titles would be issued, with the development or cultivation obligation. Since allodial had evolved into a strong ownership right, almost the equivalent of freehold, the State could not alter the tenure regime of these lots. On the other hand, the military government vowed to see to it that stringent controls would be introduced to ensure compliance with the development obligation for the new land lease titles that would be issued under the L-Decrees.

Table 62 on page 94 of the Buursink diagnosis of land management issues contains more up to date information on the number of lease titles issued for housing and agricultural use. The table on the next page lists part of these figures. As expected, most of the leases in Paramaribo are earmarked for housing and businesses (included in other). Both Wanica and Nickerie have a substantial number of agricultural and residential parcels. The northern zone of Wanica is peri-urban, while the district of Nickerie includes the second largest town in Suriname, Nieuw Nickerie. The districts of Saramacca, Commewijne and Coronie are clearly farming regions, almost all the leases are for agriculture. Para has about three times as much agricultural as residential leases, while in Marowijne the number of farming plots is only slightly larger than housing lots. Moengo, the third largest town in Suriname, is located in Marowijne. This accounts for the relatively large number of residential leases.

This information also gives a good idea of the recent growth rates. The Leasehold titles were issued between 1937 and 1982, and from 1982 on only Land Lease titles were issued. In Paramaribo where room for expansion is limited, the number of Land Lease titles is smaller than the Leasehold titles. In other words, after 1982 there was little room left for expansion. In Wanica exactly the opposite is true. Here the area of State land is considerable, the number of land Lease titles issued after 1982 is about four times the Leasehold titles issued before this date (6,173 versus 1,647). Another district with a substantial number of new lease titles is Saramacca (2,889 versus 513, that is 5.6:1). Commewijne has a ratio of new lease titles to old ones of about 3:1, while Nickerie, Para and Marowijne have a ratio of 2:1. Coronie went from 1 lease title to 170.

<b>Table 4</b>					
<b>NUMBER OF STATE LEASES ISSUED BY TYPE AND LAND USE DESIGNATION</b>					
<b>District</b>	<b>Land Lease (Grondhuur)</b>	<b>Leasehold (Erfpacht)</b>	<b>Agriculture</b>	<b>Housing</b>	<b>Other</b>
<b>Paramaribo</b>	1,937		27	1,389	521
		2,984	14	2,633	337
<b>Sub-totals</b>		<b>4921</b>	<b>41</b>	<b>4022</b>	<b>858</b>
<b>Wanica</b>	6,173		4,179	1,872	122
		1,647	1,154	399	74
<b>Sub-totals</b>		<b>7820</b>	<b>5,333</b>	<b>2271</b>	<b>196</b>
<b>Nickerie</b>	2,589		1,477	1,112	0
		1,234	607	627	0
<b>Sub-totals</b>		<b>3,823</b>	<b>2084</b>	<b>1739</b>	<b>0</b>
<b>Coronie</b>	170		170	0	0
		1	0	0	<b>1</b>
<b>Sub-totals</b>		<b>171</b>	<b>170</b>	<b>0</b>	<b>0</b>
<b>Sramacca</b>	2,889		2,749	140	0
		513	482	31	0
<b>Sub-totals</b>		<b>3402</b>	<b>3231</b>	<b>171</b>	<b>0</b>
<b>Commewijne</b>	1,949		1,792	127	30
		701	657	28	16
<b>Sub-totals</b>		<b>2650</b>	<b>2449</b>	<b>155</b>	<b>46</b>
<b>Para</b>	958		711	235	12
		425	300	116	9
<b>Sub-totals</b>		<b>1383</b>	<b>1011</b>	<b>351</b>	<b>21</b>
<b>Marowijne</b>	339		239	100	0
		180	43	137	0
<b>Sub-totals</b>		<b>519</b>	<b>282</b>	<b>237</b>	<b>0</b>
<b>Brokopondo</b>	25		21	4	0
		9	8	1	0
<b>Sub-totals</b>		<b>34</b>	<b>29</b>	<b>5</b>	<b>0</b>
<b>Sipaliwini</b>	3		0	0	3
		none	0	0	0
<b>Sub-totals</b>		<b>3</b>	<b>0</b>	<b>0</b>	<b>3</b>
<b>Lease titles</b>		<b>24,726</b>			
<b>Totals</b>	<b>17,032</b>	<b>7,694</b>	<b>14,630</b>	<b>8951</b>	<b>1125</b>

The size of lots issued farms is another important indicator. The table below indicates clearly that Saramacca was not only the fastest growing district in terms of number of new lease titles, it also contains the highest number of large estates, followed by Nickerie and Para. The number of new leases in Para is surprisingly high, as this district is not typically associated with a thriving large-scale agricultural sector. May of the older lease

titles are probably located on estates dating back to the colonial era. The large estates in Brokopondo include the palm oil plantation, cattle ranches and experimental farms. The table also indicates clearly that after 1982 for almost all sizes the number of titles increased substantially. In Saramacca the number of smaller estates (0-5 ha) increased over eight times, while the number of very large estates (>100 ha) went from 8 to 111.

<b>Table 5</b>					
<b>FARMING DISTRICTS WITH LARGE ESTATES</b>					
LL = Land Lease; LH = Leasehold					
<b>District</b>	<b>0-5 ha</b>	<b>5-10 ha</b>	<b>10-50 ha</b>	<b>50-100 ha</b>	<b>&gt;100 ha</b>
Saramacca	LH 255 LL 2,154 2409	LH 87 LL 436 523	LH 139 LL 156 295	LH 24 LL 32 56	LH 8 LL 111 119
Nickerie	LH 1,192 LL 2,206 3398	LH 17 LL 138 155	LH 24 LL 172 196	LH 1 LL 19 20	LH 2 LL 51 53
Para	LH 313 LL 575 888	LH 48 LL 192 240	LH 52 LL 152 204	LH 12 LL 33 45	LH 0 LL 6 6
Commewijne	LH 685 LL 1,861 2546	LH 4 LL 36 40	LH 5 LL 28 23	LH 2 LL 7 9	LH 5 LL 17 22
Wanica	LH 1,627 LL 6,627 7753	LH 6 LL 22 28	LH 10 LL 13 23	LH 1 LL 12 12	LH 3 LL 1 4
Coronie	LH 1 LL 104 105	LH 0 LL 43 43	LH 0 LL 8 8	LH 0 LL 15 15	LH 0 LL 0 0
Brokopondo	LH 3 LL 8 11	LH 2 LL 5 7	LH 0 LL 6 6	LH 0 LL 5 5	LH 4 LL 1 5

The next table contains estimates of the number of land tenure titles issued in Suriname during the past three centuries. In the upper portion of the table are the titles registered at the Office of State Land Registry. These include the simple rent title and the real titles issued on State land (domein land) to individuals and to legal persons such as corporations and foundations. The real titles based on State land are leasehold (*erfpacht*) and land lease (*grondhuur*). In the table these two titles are grouped under the single heading *lease*. The special titles are those issued under the 1982 land tenure act to hotels, restaurants, small neighborhood shops, but also social institutions such as churches and schools. The Office of Mortgage Registry only registers real titles including land lease and the special titles, leasehold, absolute ownership and allodial titles. Simple rent (*rent* in the table) is not a real title and is not registered at the Office for Mortgage Registry.

By deducting the real titles from the total number of titles register in the street index it was possible to produce an estimate of the number of allodial and freehold titles. The

absolute ownership titles are not more than 1.5 to 3% of this category; the amount of allodial titles is above 97%. That means that about 20% of the titles (about 30.000) are of the lease type and 80% allodial (about 120.000) but this category includes a small share of freehold titles.

<b>TABLE 6: NUMBER OF TENURE TITLES IN SURINANME</b>							
<b>District</b>	<b>Population</b>	<b>Registers</b>	<b>Rent</b>	<b>Lease</b>	<b>Special</b>	<b>Total</b>	<b>/1000</b>
Paramaribo	233882	68	200	5000	216	5416	23
Wanica	77115	160	4940	10486	351	15777	205
Nickerie	34464	77	1270	4500	220	5990	174
Sipaliwini/ Brokopondo	32735	3	42	45	4	91	3
Commewijne	22012	34	635	1700	43	2378	108
Para	15375	42	657	1926	96	2679	174
Saramacca	13695	42	600	3400	100	4100	299
Marowijne	13484	12	427	868	91	1386	103
Coronie	2911	9	527	221	21	769	264
<b>Totals</b>	<b>445673</b>	<b>447</b>	<b>9298</b>	<b>28146</b>	<b>1142</b>	<b>38586</b>	<b>150</b>
<b>Street register (part of index to tenure titles)</b>							
Number of real titles ( <i>zakelijke titels</i> )				28146	1142	29288	
<b>Allodial and Absolute ownership</b>						<b>118781</b>	

This table provides some fundamental insights about the land tenure situation in Suriname. As expected, in terms of the issuing of recent titles (land lease and leasehold) the land tenure situation in urban Paramaribo shows that very few people own land - only 23 per thousand inhabitants possess some type of deed. This number might even be lower, because wealthy persons and corporations own more than one lot. This means that the demand for housing will be very high and this is corroborated by the high rents charged in Paramaribo and the extreme shortage of housing in the city.

The table also shows that persons living in Nickerie, Wanica, Commewijne, Saramacca, Para and Coronie fare rather well in terms of land tenure titles. About 200 persons in one thousand possess a simple rent or lease type title. However, the number of simple lease titles is rather high, about one-third of the total. This might deter investment, agricultural production and animal husbandry, because the possessor of a simple rent title cannot secure a mortgage on the basis of this type of deed. Most of these titles have been held for many years and they should have been converted to land lease titles along time ago.

Most significant, however, is the indication of how serious the land tenure situation is in the interior. Only 3 persons per thousand possess some kind of rent or lease title in the Sipaliwini and Brokopondo districts, and this situation entails certain political risks. Persons living in the interior will sooner or later begin to view this situation as unfair and

may put pressure on the government to do something about it. It is advisable that the government make an all out effort to remedy this substantial lag in the issuing of tenure titles to this sector of the population. The challenge, of course, involves more than issuing titles. Serious consideration should be given to the type of tenure regime that is introduced for kin-based societies in the interior, where customary land tenure systems include substantial collective ownership components.

#### 2.4 Land Transaction Information

An examination of the land allocation process in the Buursink Diagnosis of Land Management Issues report indicates that the land allocation process is time consuming for the individual applicant. A random selection of 21 request indicates that an average time of 55.5 months elapsed from the moment the request was made until the registration of the property. The Buusink report indicates that the waiting times appear to indicate serious workflow or procedural problems, apparently due to the large backlogs and bottlenecks at almost every step of the process.

The table below gives an indication of the number of applications for State land and the number of leases that were issued.

<b>Table 7 State land allocation application and completed leases 1999-2001</b>		
<b>Year</b>	<b>Number of Applications</b>	<b>Number of Leases Issued</b>
1999	9,163	3,807
2000	8,855	4,043
2001	5,323	1,332
<b>Total</b>	<b>23,341</b>	<b>9,182</b>

The Buursink report notes further that the table does not show how many applications are rejected, but they suggest that each year the number of pending applications is growing, contributing to the mounting backlog and a noticeable fall in the quantity of leases issued in 2001. The Buursink report lists several reasons for this backlog. Here are some of the main issues listed:

- The search for determining of land is actually State land and free of any other application or other encumbrances is tedious and involves a manual check of the record books and parcel maps.
- It takes time to secure advice from the District Commissioner, Land Inspection and Ministries other than Natural Resources
- The Department of Ground Inspection does not have the required staff or transportation to work efficiently
- No time limits are set for the various steps in the State land application process
- Absence of approved regional development plans or the localized structure or destination plans needed to efficiently evaluate requests
- The backlog of pending applications appears to be growing

It is clear that the institutions responsible for processing land applications need to be internally strengthened. Options for new institutional structures should be considered and explored, and an effort should be made to eliminate or reduce the applications backlog.

## **2.5 Conclusion**

Most fundamental, however, is the need to identify the root causes of the many land management problems in Suriname. The brief overview in this section indicates clearly that changes in the land management system throughout the history of Suriname have not necessarily contributed to the prosperity of the nation. The national economy changed considerably from time to time, but these changes rarely paralleled the introduction of new legislation or land management systems. In fact, during the entire land management history of Suriname new legislation rarely seemed to have achieved the desired goal of being a major cause of economic prosperity. The performance of the Suriname economy during the past twenty years is a case in point, introduction of a new land management system did little to stem the tide of economic decline. Principles should not merely be adhered to because they have always been around or appear to be drivers of economic prosperity from a purely ideational point of view. Perhaps the time has come to base a new land policy on basic principles with a proven merit in other countries or regions.

The figures presented above give some indication of options that should be explored in earnest. Table 2 suggests that just a little over 20% of the titled land area is covered by an allodial title, whereas table 6 indicates that about 80% of the number of registered titles are of the allodial type. This suggests that a disproportionate high number of land transactions actually took place on only a small part (about 20%) of the titled land surface area. If the Government of Suriname wants to create dynamic lands market and stimulate economic productivity by enlisting land as a catalyst in this process, more consideration should be given to the re-introduction of freehold title regimes not encumbered by unnecessary administrative restrictions inherited from a colonial past.

## **3.0 LAND MANAGEMENT**

### **3.1 Legal Framework for Land Management**

The analyses of land related legislation in this paper is limited to the legislation that is directly applicable to the issuance of State land and which is in some cases connected to each other.

- Constitution of the Republic of Suriname  
Art. 34 stipulates that “property of both the public and individuals fulfills a social function” Everybody has the right on undisturbed joy on his or her property, excepts for limits set by the law.
- Civil code  
Art 625 deals with ownership/property rights as well as expropriation for the general good prior to compensation.
- Decrees on Land reform  
Deals with regulations to State land
- Decree on land valuation

This decree creates a regime on the bases of which the compensation due to article 28 section 1 of the decree on issuance of State land must be paid to the government in case of transfer of title rights on State land.

- Expropriation act  
In case there is the title of leasehold on the expropriated land, the compensation will be estimated in accordance with the remaining time of leasehold.
- Agrarian Ordinance  
This is one of the first law's on land and deals with the legislation act leasehold. With the introduction of the L-Decrees a great part of this law is abrogated.

The land titles for land allocation in Suriname were described in section 2.3 above. Another legal issue related to land management relates to undivided estates. This problem has several implications for land use.

- Undivided property leads to land that is left undeveloped and unstructured for the following reasons:
  - When owner of plantations died years ago the heirs did not partition the estate according to inheritance laws
  - In the event the owner of the plantation sold parts of the estate to former slaves, their customary land tenure regimes were often based on communal ownership, hence these parts of the estate were left undivided.
  - Individuals who inherited parts of the estate did not have the resources to pay the surveyors fees for the partitioning of the estate.

This situation is very complex a leads to a lot of problems. Because many relatives with entitlement to parcels are not living in the region or are residing abroad, it is difficult to locate all entitled relatives and to get them to agree to a partitioning scheme. Those who are present are concerned that any settlement that overlooked entitled relatives could be legally challenged in the future. A legal base should be created in order to address the undivided property.

### **3.2 Institutional Framework**

There are five Ministries directly involved in the planning of land use and in the administration of land in Suriname:

- Ministry of Natural Resources. This ministry consists of the Departments of Land Management, Forestry, Mining and Energy.
- Ministry of Agriculture, Animal Husbandry and Fisheries. Within this Ministry the Planning Division is responsible to advising the Office of State Land Records with regard to applications filed to secure agriculture land.
- Ministry of Public Works. In this Ministry there is an Urban Planning Department with the following tasks:
  - To elaborate on national and regional plans in terms of technology and plan details;
  - Research planning and design of structure, development, parcel out and rehabilitation;

- Advise several Ministries and Districts Commissioners regarding the destination of land;
- Oversee and control on parcel projects, control and maintenance of roads and sewage of parcel projects;
- Policy preparation on public housing.
- Ministry of Planning and Development Co-operation. The Ministry of Planning and Development Co-operation is in charge of the preparation of national development plans and the integration of sectoral and regional planning into the Multi Annual Development Plan. The National Planning Office is a foundation that also contributes to national planning and ensures that special planning is part of the program at national and regional level.
- Ministry of Regional Development. The regional bodies operate within this Ministry. They are governing bodies chosen during elections. Every district has a District Council and one or more Resort Councils; these bodies are also responsible for advising the Office of State Land Records with regard to requests for the allocation of State land.

### **3.3 Information Database for Land Management**

The government is establishing a cadastre system (GLIS - Ground and Land Information System) within a month. This five-year program is funded under the Development Aid Treaty between Suriname and the Netherlands and will cost €11 million. With the introduction of the GLIS the following objectives will be achieved:

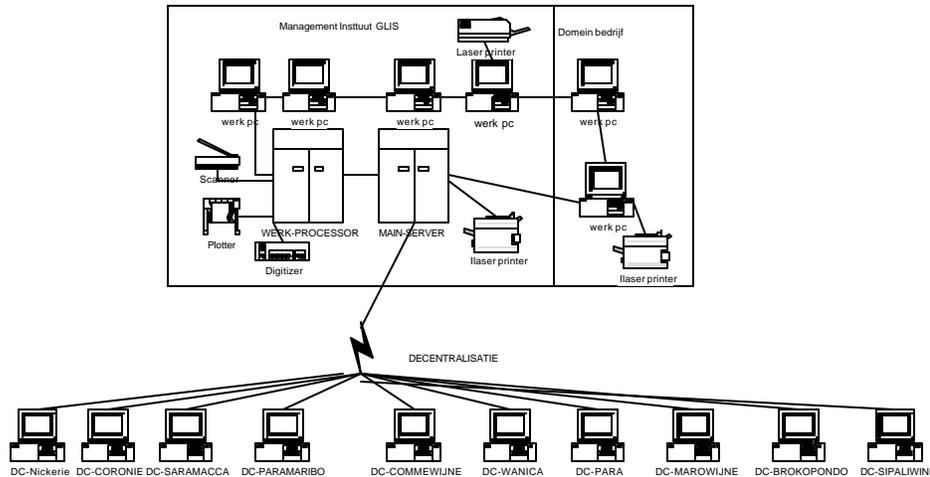
- The possibility of introducing a real estate tax, however, the GOS has not committed itself at this time to such a program.
- Effectively parceling in the context of destination plans.
- Minimization of boundary conflicts.
- Ensures an information back-up system in the event of the destruction of State land records.

Prior to 1975 the Republic of Suriname was a colony of the Netherlands. The legal system in Suriname is based on that of the Dutch, and as a result the cadastre system in Suriname also inherited much of the Dutch system, which in turn, is based on the French system also referred to as the Napoleonic cadastre. This is an important fact because the situation in the rest of the Caribbean is different, where land registration is based on the British titling system.

The specific objectives of the GLIS project are as follows:

- Establish a decentralized data gathering system with units in each of the ten districts to ensure more effective and efficient data gathering
- Re-establish a geodetic reference system
- Aerial photography and digital mapping of the coastal zone
- Design/develop a computerized parcel based GLIS
- Establish data sharing platform for cadastral records registry
- Conduct cadastral surveys

Nowadays the Ministry of Regional Planning is establishing a decentralization project. This project is financed by the IDB. The GLIS project is also based on the decentralization process to give every district officers access within their own area in the system.



### 3.4 National Development and Land Use Planning

Granting of land and concessions should take place within a strategy policy framework such as zoning or land use planning. Such a strategy framework is set out in the National Planning Act and the Urban Planning Act. Unfortunately, land use planning in Suriname is currently in an impasse. No national zoning is taking place, no regional land-use plans are made, no urban destination plans and structure plans are made. If they are made, they are not binding. This results in poor decision-making in the granting of land leases and concessions. The lack of land use plans and zoning plans will become more acute as the demands for land is rapidly increasing. In addition, sector ministries are free to determine development priorities, often without consultation with other ministries. Their procedures are often not transparent, and often discussion in the community starts after the decision has been made on the administrative level

### 3.5 Conclusion

Although there are several Ministries involved in the land allocation process, with the Ministry of National Resources as the key Ministry there is lack in coordination in land management. A consequence of the involvement of several other Ministries is that coordination becomes complex and cumbersome, and it takes more than a reasonable period before an application on state land is judge.

## 4.0 LAND ADMINISTRATION

### 4.1 Ministry of Natural Resources

The Ministry of Natural Resources has the preeminent responsibility in managing the nation's land resource. This Ministry has 3 divisions: The Land Management Department, Forestry Department and Mining Department. The Land Management Department consists of several sub-departments: Office of State Land records, Office of

Title Registry, Department of Ground Inspection, Cadastral Department, Central Bureau of Aerial Mapping and the Department of Soil Surveys. An administrative and a technical services unit provide support to these sub-departments.

#### **4.2. The Title Registry Office**

Land is a source of welfare, and needs an adequate registration. This is for the public to find a simple way to the property they owned. Land registration gives the government a clear insight in the properties of their own and the public so it can be a source for income and to design an effective land policy.

In Suriname all private property, leasehold and land lease (deeds) are registered at the Office of Title Registry (Mortgage Registry Office). Leasehold is real right issued early as 1690 while land lease (1982) is the only title issued by the State as a real right for certain land purposes such as housing, schools, stores, agriculture industry and for social and recreational purposes. The main obligations of the Mortgage Registry Office are to:

- Register all legal actions with regard to immovable rights;
- Inform: to supply on request of an individual the information relating to immovable rights;
- Store the public records hence the authentic source can always be traced.

Registers (manual) are used to store the information of the Mortgage Registry Office. The System is called “negative” because the recording system does not protect people who acquire titles for accuracy of the registry at the Mortgage Registry office. The Office of Mortgage is the only office that keeps records of deeds, as required by law.

#### **4.3 The Office of State Land Records**

State land, which has been granted, must be registered at the Office of State Land Records with the following tasks:

- Registration of all State Land
- Demarcation and mapping of lands
- Advice the Government on the issuance of State land

In this office the real rights leasehold and land lease are registered as well as the personal rights such as Simple rent and Simple Use. At this office the total allocation process of State land takes place. This process requires advices from several land related agencies. The Land Reform Law (L-Decrees) is currently the most relevant product of legislation for the issuance of State land.

#### **4.4 Land Inspection**

Each parcel of State land, issued to a person or company is done under certain conditions. If the obtainer doesn't fulfill the conditions, the government is entitled to take these parcels back. The department of land inspection who inspects land does this with a small number of employees by car. That's why it is impossible to inspect the total country. A more sophisticated method is needed to perform this task.

Squatting is a common phenomenon in Suriname, and is considered a social problem that needs to be addressed structurally. This problem is also the responsibility of the Department of Land Inspection. On the one hand there are people that are in need of land and are not willing to follow the Government procedure to obtain a title on a piece of land. On the other hand there are people who do follow the procedures, only to discover that the land or house that they have obtained is occupied illegally. There are two forms of squatting merged:

- Organized illegal occupants who use services of a surveyor to set out the lots. There are indications that political party members sometimes lead the organized illegal occupants;
- Unorganized illegal occupants that are not united and occupy the land haphazardly.

#### **4.5 Conclusion**

Coordination between the various land management departments of the Ministry of Natural Resources should be improved. It is not possible to adequately survey, assess, allocate and manage State lands without adequate resources. This information is an important tool to help decide what land areas should be allocated for residential, agricultural, industrial or other use, and what land areas should not be allocated for various reasons, such as environmental considerations. In addition, the development of the modern Ground and Land Registrations System (GLIS) can help solve the many management problems associated with land that has already been allocated.

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