



INDIGENOUS PEOPLES' COMMISSION

**ANNUAL
REPORT**
for the year 2016

ANNUAL REPORT 2016

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Message from the Chairperson

The Commission joins with the country in celebrating Guyana’s fiftieth anniversary as an independent nation and we reflect on the many valued contributions our Indigenous brothers and sisters have made over the years.

The Commission also noted with pride, the fact that there was active and effective participation by all Indigenous communities in the celebrating of our Golden Jubilee anniversary.

Thanks also go to the Government for facilitating the early release of funding for the 2016 work plan activities. This helped in the better implementation of activities and boosted morale of both the staff and Commissioners.

I would like to thank my fellow Commissioners for their kind assistance and support throughout the year and also the staff of the Secretariat.

Thanks also go to the Government, Ministries and all other stakeholders who collaborated with us to help improve the welfare and conditions of our Indigenous Peoples’.

Sincere gratitude to all the Indigenous Communities for your vibrant contribution to the Independence Golden Jubilee celebrations. You have demonstrated in admirable and innovative ways - the abundance of talent, determination and patriotism that Guyana’s First Peoples’ possess.

Sincerely,



.....

Ms. Doreen Jacobis

Chairperson

IPC

Executive Summary 2016

The Year 2016 saw major financial improvements as the Fiscal Management and Accountability (Amendment) Bill 2015 was passed in the National Assembly and monies were accessible from January 2016.

Indigenous Communities were actively involved in the Independence Golden Jubilee Celebrations to commemorate the country's 50th independence; whilst this was extremely commendable, it also reduced the number of outreach engagements that were possible by the IPC because Communities simply were unable to accommodate the planned sessions.

However, in March 2016, visits were made to the New Amsterdam Prisons and the Sophia Holding Centre to meet with Indigenous residents who were in these facilities. Outreaches were also held in Wai Wai Kanashen area-Region 9 and Baramita-Region 1, in September and October 2016 respectively.

In recognition of the important role of the IPC, it was also granted a sum of monies to provide services to support the National Technical Working Group in the VPA process. This was done through a very transparent public process and saw the convening of several awareness workshops. The IPC therefore had another successful year in 2016; we look forward to continue engaging and helping to further empower indigenous communities in 2017.

1. MAJOR ACTIVITIES 2016

1.1 Visits to the New Amsterdam Prisons and the Sophia Holding Centre

On March 16 2016, Commissioners Patricia Singh, David James and Marco De Souza visited the New Amsterdam Prison and met with the Prison Officials and female Indigenous prisoners. Discussions were held on major issues affecting these prisoners during their incarceration. On May 20, Commissioners Patricia Singh, Haliema Khan and Andre Gonsalves, Investigative Officer, Rights of the Child Commission, visited the Sophia Holding Center and met with Indigenous juveniles.

1.2 Outreaches

In September 2016, Commissioners Yvonne Pearson, Vice Chairperson, Matilda Williams, Marco De Souza and Neil Bacchus, CEO visited the Wai Wai Community residents at Kanashen, Region 9.

Meetings were held with the Toshao and Councilors, the villagers, the Management team managing the Community Development Project and a few school children. The Commissioners were treated to a cultural presentation. Each resident received a bag imprinted with the Commission's logo and contact information. **Appendix 1** contains further details of this visit.

1.2.1 Baramita

In October 2016, a follow-up visit was made to Baramita. Commissioners Yvonne Pearson- Vice Chairperson, David James and Haliema Khan facilitated a Capacity Building Workshop for the Toshao, Councilors and stakeholders. The primary objective of the workshop was to ensure that the Village Council is better equipped to manage the affairs of their village and to take worthwhile initiatives.

1.3 National Technical Working Group (NTWG) Project under the Guyana-EU Forest Law Enforcement, Governance and Trade Voluntary Partnership Agreement (FLEGT VPA)

The NTWG and the Indigenous Peoples' Commission (IPC) agreed that the IPC will provide certain services in support of a project entitled "Supporting the National Technical Working Group in the Voluntary Partnership Process".

The IPC received a total amount of twenty-five thousand US dollars (US\$25,000) to enable these activities. The total sum was disbursed on behalf of the NTWG by the EU FLEGT Facilitation Support Office (FFSO).ⁱ See additional details in **Appendix 2**.

1.4 Participation of different Communities and Activities

1.4.1 Amerindian Development Fund

For the year 2016, the Chief Executive Officer Mr. Neil Bacchus attended one meeting in January to approve the budget and work plan for 2016 and to review 2016 activities.

At that meeting, it was reported that 2015 was the first full year of the implementation of the ADF II project, during which the GRIF ADF PMU supported by the UNDP strove to broaden/ increase the reach and strengthen the impact of the implementation of the ADF II project. The size and value of ongoing CDPs being implemented have been increasing steadily. As new CDPs are implemented and engage start up activities, there is support provision from partner organizations. At the end of 2015, ADF would have financed 62 ongoing CDPs, and transformed them into business plans.

1.4.2 National Technical Working Group

Vice-Chairperson Yvonne Pearson continued to represent the Commission at the meetings, video conference and field activities.

1.4.3 Amerindian Land Titling Project

In January 2016, the Chief Executive Officer attended a meeting with the board members of the Amerindian Development Fund (ADF) and was subsequently invited to a board meeting of the Amerindian Land Titling Project.

At that meeting, it was learnt that The Amerindian Land Titling (ALT) Project seeks to enable Amerindians to secure their lands and natural resources with a view towards sustainable social and economic development. It is expected that titling and demarcation will strengthen land tenure security and the expansion of the asset base of Amerindians, thus enabling improved long-term planning for their future development.

Activities under the Amerindian Land Titling Project (ALT) fall under three specific outputs:

- a. Output 1: Land titles issued and demarcation process completed for all Amerindian villages that submit requests
- b. Output 2: A mechanism in place for identifying and resolving land issues
- c. Output 3: A Revised Communication Strategy

The Ministry of Indigenous Peoples' Affairs (MOIPA) is responsible for executing Output 1 while the two remaining outputs are under the responsibility of the United Nations Development Programme (UNDP Guyana). The annual work programme for 2016 was also approved.

1.4.3.1 Representative Platform

As part of strengthening the Amerindian Land Titling Project, UNDP in October 2015 conducted a review of the procedures (*Social and Environmental Impact Screening Procedures (SESP)*) of which four issues were identified:

- a. The need for clarified and strengthened stakeholder engagement, representation structures and decision-making processes at all levels;
- b. The need for a clear process and criteria for investigations (in the context of the titling process) pursuant to the Amerindian Act of 2006;
- c. The need for additional/new dispute resolution processes to address conflicts that exist within and among Amerindian communities, as well as between Amerindian communities and various other parties asserting claims to lands and resources claimed by Amerindian communities;
- d. The need for adequate acknowledgement and protection in the Amerindian Act of 2006 of rights of Amerindian communities to lands and resources traditionally used and occupied.

Subsequently, acting upon the findings of this review, recommendations were made and endorsed by the ALT Project Board in January of 2016 and on 4 and 6 May 2016. The stakeholders had discussed and agreed to implement two of the SESP's key recommendations: the establishment of a stakeholder working group subsequently called the "**Representative Platform**", and the elaboration of mechanisms or protocols (via a single "**Guideline**") addressing:

- 1) Stakeholder engagement, consultation and free, prior, and informed consent (“FPIC”),
- 2) Criteria and streamlining of the demarcation and land titling procedures; and
- 3) Strengthening of existing and creation of alternative grievance redress mechanisms (“GRM”).

Mr. Neil Bacchus became the Commission member on this Platform and participated in the workshops and field exercises as required. Despite, the work that was done to bring the guidelines into reality, it was not completed as at December 31, 2016. However, The Facilitator report was completed and shared amongst the stakeholders. The guidelines are expected to be completed in 2017.

1.4.4 Inter-Ministerial Task Force on Trafficking in Persons

The Task Force is an Inter-Agency Body which depends on effective and efficient cooperation between Governmental and Non-Governmental Agencies in order to achieve its goals. As a Government, we are committed to ensuring that the Task Force operates as efficiently as possible.

In January 2016, the Ministerial Task Force on Trafficking in Persons was reconvened and embarked on a year of activities geared at laying the foundation for future efforts to fight trafficking in persons. In this regard, particular focus was placed on Sensitization and Training, which has resulted in more reports being received through the Trafficking in Persons Hotline as well as both Government Agents and Non-Governmental representatives throughout the regions, including interior and hinterland areas, more skilled in detecting the crime and referring cases.

Capacity building is of utmost importance in this effort to curb a crime which threatens to disrupt the values of a society and the development of an economy. Significant strides have been made in this regard and it is intended for the gains made to be further in the coming reporting period.

2016 specifically focuses on the magnitude of the initiatives implemented by the Government geared at **preventing** the occurrence of trafficking in persons, **protecting** alleged and prospective victims of the scourge, **prosecuting** suspected offenders and ensuring that these three objectives are met through a healthy and effective **partnership** among stakeholders. This “Prevention, Protection, Prosecution and Partnership” form the four “P” paradigms for Guyana’s efforts to combat trafficking in persons, in keeping with international best practices.

The Commission through its representative Mr. Neil Bacchus participated in several awareness workshops and activities organized by the Task Force. On 11th and 12th July, Mr. Bacchus, CEO participated in a capacity building session conducted by the International Organization for Migration and received a certificate titled “A Technical Skills Training on Human Trafficking”.

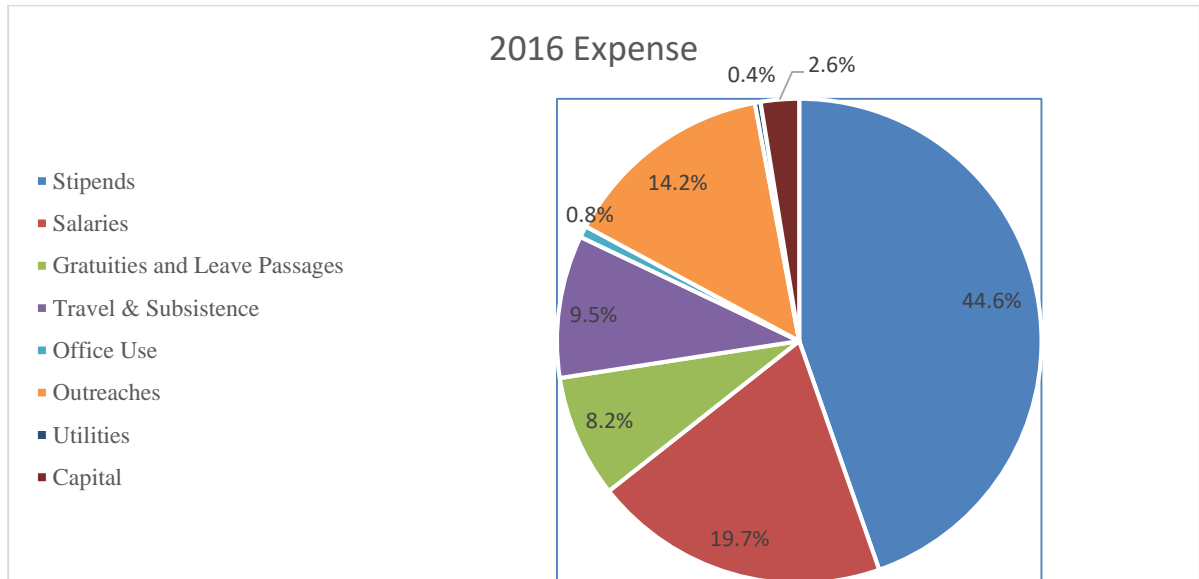
1.5 Complaints

During the reporting period the Commission received seven complaints which was directed the relevant ministry/agency Any feedback so obtained was provided to the complainants

2. FINANCIAL STATEMENT

All financial transactions were processed by the Rights Commission Secretariat through its Finance Department. Following the Fiscal Management and Accountability (Amendment) Bill 2015 that was passed in the National Assembly, The Commission was granted a lump sum of G\$23,346,000 which was accessible from January, 2016. With the establishment of the Rights Commission bank account and becoming a part of the government account system (IFMAS), easy access to the funds was vastly improved. The sum of G\$15,449,246 was allocated to the Commission for employment cost while Other Charges was allocated G\$8,654,930. The budget for 2016 reflected an increase of 17% of the allocated amount for 2015. However, G\$2,053,202 was returned to the consolidated fund at the end of the year. The distribution of the total expenditure was as follows:

RECEIVED	AMOUNT \$	EXPENSES	AMOUNTS \$
Ministry of Finance (MOF)	23,346,000	Stipends Salaries Gratuity & Leave Passage Travel & Subsistence Outreaches Office Expenses Utilities Capital expenditure	9,505,584 4,202,018 1,742,324 2,025,073 3,027,042 165,050 81,127 544,280
Total	23,346,000		21,292,498



The above is a reflection of the Commission’s 2016 Audited financial statements.

3. PROPOSED ACTIVITIES FOR 2017

Description of Broad Activities	Intended Output/Outcomes
Two community visits as necessary to follow up specific issues	Root cause of concerns / issues ascertained for better resolution and policy guidance
Participate in media interviews	Public Awareness
Participation in national events such as World Indigenous Peoples’ Day and Amerindian heritage month	Public Awareness
Training in Amerindian Act (2006) and human capacity at Matarkai and at Baramita	To strengthen Indigenous Communities To know and understand their rights and benefits to better manage their communities
Continued engagements with other Amerindian Communities	To strengthen Indigenous Communities To know and understand their rights and benefits to better manage their communities

4. CHALLENGES AND RECOMMENDATIONS

4.1 Challenges

The major challenges were:

- i. For the period January to August 2016, communities were very involved in Guyana's 50th Independence Jubilee celebrations and also the preparation and elections of the Village Council. Unavailability of key personnel resulted in some outreaches being postponed;
- ii. Indigenous communities still lack access to basic services and utilities even though there has been some improvement in some Communities;
- iii. Security in villages is sorely lacking and outsiders use this to their advantage;
- iv. Communities still complained that they were not properly engaged in land allocations to investors which have a negative impact on their access to resources, potable water, culture etc;
- v. Communities feel as if they are neglected, especially when it comes to job opportunities and technical/vocational training;
- vi. The above, coupled with higher than normal incidences drug abuse and alcoholism causes village and community development to be stagnated. Most of the young adults leave the village in search of better opportunities, and young girls are easily lured into prostitution/teenage pregnancies;

4.2 Recommendations

- i. Efforts to speedily improve village/community access to critical services must be a high priority. It is recommended that a multi-Ministry/Agency Team with relevant resource persons visit areas using a village cluster approach and spend a few days interacting with the residents of the cluster communities to identify issues, and be able to make informed and short-term intervention to alleviate these;
- ii. Security intervention in communities/villages needs to benefit from the above also. Social, Environmental and Economic vulnerabilities will be better managed;

- iii. Communities must be properly informed when investors are seeking to access lands contiguous to their titled land, land being requested for titling, or extensions;
- iv. A proper study must be done to identify the potential negative (and positive) impacts that this proposed development will bring; and adequate effective mitigation measures must be identified;
- v. The developer(s) should be made to lodge a financial guarantee which would guarantee the implementation of mitigation measures, if needed;
- vi. Employment opportunities must be identified for villages/communities; relevant Training opportunities at technical/vocational levels and support for feasible pilot economic ventures are then provided;
- vii. More sensitization on domestic violence and the actions victims can take to get justice especially when it deals with sexual violence;
- viii. The Police and Rural Constables within the Indigenous Communities must respond to calls of domestic violence and drunken behavior;

5. APPENDICES

Appendix 1

Meeting with the Village Council and Residents of Kanashen Village September 20-23, 2016

Interactive engagement between IPC and Village Council and residents of Masakanari village

1. The Commission met with 101 residents including the Toshao and three Council members and 12 school children. The process of the engagement entailed following activities:
 - i. Each Commissioner, led by the Vice-Chairperson as well as the Chief Executive Officer, shared with the residents, the purpose and functions of the Commission and how communities could benefit from the mandates of the Commission.
 - ii. Each resident received a bag imprinted with the Commission's logo and contact details of the Commission.
 - iii. Folders imprinted with the Commission logo and contact details, complemented with stationary items, were donated to all the children attending school at both the nursery and primary level
 - iv. Pens engraved with the Commission's logo and contact details were presented to the Toshao, Village Council Members and other working persons providing government services in the village.
 - v. Books donated by the Guyana Foundation were presented to the Toshao.

2. Meeting with CDP

An appeal was made by Mr. Ayaw in seeking the Commissions' help in facilitating the recruitment of two young men to be trained as drivers/ mechanics and also to assist them with the obtaining of their drivers licenses.



Meeting with the CDP management team

3. Capacity Building with Village Council

Vice- Chairperson facilitated a brief session with the Toshao and Village Council Members in area of governance at the Village Council level, and functioning effectively as a council member.

4. School Children

CEO Neil Bacchus assisted the children preparing to write the National Grade exams in 2017 in the area of Mathematics. The students expressed their lack of understanding of certain topics which was explained in detail much to their satisfaction.

5. Concerns expressed by Residents

Concerns expressed by residents: The main concerns were related to, health, education and economic activities within the village that could result in job creation.

- Rueben Yaymochi, an acting teacher at Kanashen Primary School did not get his salary for the months he had taught due to him having no NIS card. He had also reapplied in August 2016 to renew his contract but to date has not received a letter of appointment.
- There were four single parents and six persons with disabilities who made requests for Public Assistance.
- The School needs updated text books for the students writing the National Grade 9 exams. The exams are usually administered late, that is after it was administered

nationally and all the students would fail the exams, The Head teacher(ag) is concerned that the students are given an “F” grade even before the scripts are marked

- A request for games such as Scrabble and Bingo to enhance the literacy and numeracy skills of the children attending the school
- A request for sports gears inclusive of footballs
- There are no cooling systems to store vaccines
- No support by Regional Council for students to participate in sports at the Inter-schools and Regional level
- Teachers on one-year contract are expected to provide an updated recent police clearance when renewing their contracts
- Access to quality *improved* Health Care as only one health worker is present.
- Concern that policies on the coastland should not be the same for hinterland communities
- Termination/Suspension of the Internet Service
- Would like Proper Infrastructure: - Roads to reach their village
- Due to its remoteness, there should be some consideration for the Helicopter/Plane medivac service



Community meeting

Conclusion:

The Indigenous Peoples' Commission agreed to channel these concerns urgently with the relevant Government Ministries/Agencies. The IPC would also try to get urgent feedback and or speedy resolution to these and the Village will be regularly updated. The Toshao, Councilors and residents also thanked the Commissioners for their timely visit and all celebrated in the form of a cultural show to acknowledge the success of the visit. Gifts were also presented to the Commissioners and the CEO.

Appendix 2

NTWG Project- EU FLEGT VPA

Guyana is presently in a partnership with the European Union to develop a FLEGT licensing process whereby Guyana can have access to the European market of timber and timber products. In order to achieve this goal, a steering committee was developed called the National Technical Working Group (NTWG). This group's responsibility is to coordinate the process.

With respect to the indigenous and local communities this opportunity of the IPC benefiting from this process is re significant from two perspectives:

- a. These stakeholders are considered to be inherent in any eventual outcome of the negotiation and after.
- b. The ability of the IPC to normally engage these communities is severely limited by geographical logistics costs to meet them in the far fletched hinterland areas where the majority of population resides.

The Indigenous Peoples' Commission (IPC) is represented on the NTWG. It has the responsibility to consult and communicate with its constituency. Despite the fact that there have been several consultations at the national and the local level where indigenous people were involved, stakeholders called for improvements to outreach and awareness in terms of:

- More in depth awareness/ outreach sessions to deepen understanding
- The use of simplified written material, pictures and local language translations (acknowledging that it will not be possible to translate everything)
- Smaller cluster groups for outreach (although still covering all the same villages and communities), with longer workshop (three days)
- Greater speed at which information reaches hinterland communities.
- Use of a train the trainer approach.

In September, The National Technical Working Group (NTWG) and the Indigenous Peoples' Commission (IPC) agreed that through a transparent process, the IPC will provide certain services in support of the project entitled "Supporting the National Technical Working Group in the Voluntary Partnership Process".

The IPC received a total amount of twenty-five thousand US dollars (US 25,000) to enable activities. The total sum was disbursed on behalf of the NTWG by the EU FLEGT Facilitation Support Office (FFSO)

Purpose of the Project

Build competence of the Indigenous people with the respect to their rights and participation in the EU FLEGT VOLUNTARY PARTNERSHIP AGREEMENT (VPA) PROCESS.

As at December 31, 2016, The Commission conducted 4 consultations where information was disseminated on Guyana's EU FLEGT VPA.

A bank account was established at the Bank of Guyana following guidelines from the Ministry of Finance. The bank account was used mainly for the administering of the grant funds. CEO Neil Bacchus was approved as the Grant Manager for this project. Monthly financial statements and source documents were submitted to the EU-FLEGT Support Office.

As at December 31, 2016, the amount of \$2,080,000 was deposited into the bank account while the remaining balance was \$82,108.

6. COMMISSIONERS



**Doreen Jacobis
Chairperson**



**Yvonne Pearson
Vice-Chairperson**



Marco De Souza



Damian Fernandes



Gerry Gouveia A. A



David James



James Singh



Matilda Saigo



Malcolm Rodrigues



Patricia Singh



Bebbi Haliema Khan (WGEC)



Marissa Massiah (RCC)