

# French Guiana, an Outermost Region of the European Union: issues and challenges in the XXI century

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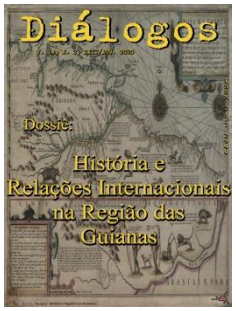
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# French Guiana, an Outermost Region of the European Union: issues and challenges in the XXI century

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**French Guiana, an Outermost Region of the European Union: issues and challenges in the XXI century**

**Abstract**: The Outermost Regions, ORs, are external borders of the European Union, EU. These borders are located in the Caribbean region, in the Atlantic Ocean, and in the Indian Ocean. This study proposes to approach the place of Guiana as a French Outermost Region in three aspects. From a legal point of view, what are the treaties, conventions, protocols adopted by the European Union, and therefore by France, in which Guiana is included as an outermost region. Under the economic and national security aspects, what are the neighborhood relations between Guiana, Brazil and Suriname. Finally, what kind of integration can Guiana aim for on the Guiana Shield given its historical past and geopolitical location. Essentially, our study proposes to analyze the challenges that Guiana has to face in a globalized and socially changing world in the XXI century.

**Key words**: Immigration; Border; Guiana Shield; Geopolitics; Brazil.

**Guiana Francesa, uma Região Ultraperiférica da União Europeia: questões e desafios no século XXI**

**Resumo**: As Regiões Ultraperiféricas, RUP, são fronteiras externas da União Europeia, UE. Essas fronteiras se situam na região do Caribe, no Oceano Atlântico e no Oceano Índico. Este estudo propõe abordar o lugar da Guiana como Região Ultraperiférica francesa sob três aspectos. Do ponto de vista jurídico, quais são os tratados, convenções, protocolos adotados pela União Europeia, e por conseguinte pela França, em que a Guiana como Região Ultraperiférica está incluída. Sob o aspecto econômico e da segurança nacional, quais são as relações de vizinhança entre a Guiana, o Brasil e o Suriname. Finalmente, que tipo de integração a Guiana pode almejar no Platô das Guianas dado seu passado histórico e sua localização geopolítica. Em resumo, nosso estudo propõe analisar os desafios que a Guiana tem de enfrentar em um mundo globalizado e em mutação social em pleno século XXI.

**Palavras-chave**: Imigração; Fronteira; Platô das Guianas; Geopolítica; Brasil.

**Guyana Francesa, una Región Ultraperiférica de la Unión Europea: problemas y desafíos en el siglo XXI**

**Resumen**: Las Regiones Ultraperiféricas, RUP, son fronteras exteriores de la Unión Europea, UE. Estas fronteras se encuentran en la región del Caribe, el Océano Atlántico y el Océano Índico. Este estudio propone abordar el lugar de Guyana como una Región Ultraperiférica francesa a través tres aspectos. Desde un punto de vista legal, ¿cuáles son los tratados, convenciones, protocolos adoptados por la Unión Europea y, por lo tanto, por Francia, en los que se incluye a Guyana como Región Ultraperiférica? Bajo los aspectos de seguridad económica y nacional, cuáles son las relaciones de vecindad entre Guyana, Brasil y Surinam. Finalmente, a qué tipo de integración puede aspirar Guyana en el Escudo Guayanés dado su pasado histórico y su ubicación geopolítica. En resumen, nuestro estudio propone analizar los desafíos que Guyana debe enfrentar en un mundo globalizado y socialmente cambiante en el siglo XXI.

**Palabras clave**: Inmigración; Frontera; Escudo Guayanés; Geopolítica; Brasil.

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## Introduction

The arrival of the Italian navigator Cristóvão Colombo (1451-1506) to the New World in October 1492 sets the Iberian maritime expansions and awakens the greed of other European powers such as England, the Netherlands and France. These countries, involved in religious quarrels, contest the division of the world between the Catholic kingdoms of Castile and Portugal. This division is granted by the papal bulls of June 1481, *Aeterni regis* of Pope Sixtus IV (1414-1484) and *Intera* caetera of May 1493, edited by Pope Alexander VI (1431-1503). In June 1494, this pope defined the line of division of the world with the Treaty of Tordesillas, which led other powers like France to challenge the Iberian monopoly on the maritime trade. This is how, at the beginning of the occupation of the New World in the XVI century, France, to also benefit from its wealth, resort to piracy and smuggling (BOWN: 2013, p.11-16).

During his third trip to America, in August 1498, Christopher Columbus traveled for the first time to the coast of Guiana. As for France and its project of colonization and foundation of an Equinoctial France between the Orinoco and Amazonas rivers, the first attempt is made in Maranhao. After three years of occupation (1612-1615) and the founding of the São Luís fort, this unsuccessful attempt at expansion takes the French to Guiana. Around 1624, some French merchants from Rouen settle by the Sinnamary river. Then, explorer Charles Poncet de Brétigny (+1644) created the Rouen Company in 1633 and in November 1643 he landed in Guiana with 300 men where he founded the city of Cayenne. His company, ruined, is dissolved and he assigns its assets to the new Company of Equinoctial France re-founded in 1663, the first had been created in 1651 and went bankrupt in 1653. In 1663 this company was part of the West India Company created by Jean-Baptiste Colbert (1619-1683), minister of King Louis XIV (1638-1715). Between 1668 and 1764 the colony thrives (BUREAU, 1935).

From a religious point of view, Jesuits are the first to settle in Guiana with the objective of evangelizing the Amerindians by creating agricultural establishments and planting cocoa, coffee, cassava, cotton, and sugar. Dominating the colonial economy in Guiana, the priests of the Society of Jesus until their departure also provide spiritual service to settlers and slaves (LE ROUX, 2013).

In the XIX century, during the provisional government of the Second Republic (1848-1852), the decree that abolished slavery was signed on April 27, 1848, thus freeing almost 13,000 slaves in Guiana. Guianese citizens receive French citizenship and voting rights on this occasion, which is restored in France on August 11, 1848. As for the economy, with the closure of plantations, it collapses until 1855 when a gold deposit is discovered in eastern Guiana, in Arataye, an affluent of Approuague. At the height of this gold rush, 10,000 gold prospectors arrive in the territory and the

mining has its decline with the Second World War. Thus, another important event that debuts in the XIX century and ends in the XX century is the creation of a penal colony in Guiana (BASSIÈRES, 1936).

Since the revolutionary period, Cayenne has received outlawed monarchists arrested after the coup d'état on September 4, 1797. Under the Second Empire, Napoleon III (1808-1873) formalized, on May 30, 1854, the creation of a penal colony whose objective is also to populate Guiana, thus receiving more than 3,000 prisoners. Convicts are identified according to the crimes and offenses committed as "transported", "relegated" and "deported". In nearly a century of the penal colony existence, 70,000 prisoners have died in Guiana (SANCHEZ, 2015). It was only on June 17, 1938 that the penal colony was abolished under the initiative of the colonies' Undersecretary of State, Gaston Monnerville (1897-1991). However, this became effective on March 19, 1946 when Guiana changed from colony to overseas department status (BUREAU, 1935).

Guiana's history is characterized by the claim of its territory by the Dutch, English and Portuguese in Brazil during the Napoleonic Wars (1792-1815). After the Taking of Cayenne in 1809 and its occupation for almost ten years, Guiana is definitely attributed to France in 1817, by decision of the Congress of Vienna (1814-1815)[1]. Historically, Guiana derives from the first French colonial empire, with an economy based on sugar cane plantation and slavery. The Constitution of the IV Republic (1946-1958) that confirms the existence of the Departments abroad, meaning the complete integration, for example, from Guiana to the Republic. Guadalupe, Martinique and Guiana become French Overseas Departments, DOM (Departementos Ultramarinos), also known as French Departments of America, DFA (Departamentos Franceses da América) (OLLIVIER, 2002).

The laws and decrees applied in the Departments[2] of Hexagonal France[3] are applicable in Guiana sometimes with some particularities. With the Treaty of Rome signed on March 25, 1957 and the creation of the European Economic Community, EEC, the Treaty on the Functioning of the European Union, TFEU, is also signed. This treaty stipulates in Article 227, paragraph 2, that European law applies to the external borders of the European Union. These are the external borders:

[1]Guiana's political relationship with Brazil is characterized by two events: the occupation of Guiana by the Portuguese-Brazilian troops from 1809 to 1817 in retaliation for the invasion of the kingdom of Portugal by the French army commanded by Napoleão Bonaparte; and the Franco-Brazilian dispute on the delimitation of the border between the territory claimed by the two States. The issue is resolved with the Swiss trial in favor of Brazil in December 1900

[2]In January 1790, the Constituent Assembly revoked the provinces of France and created the Departments. The current map of the Departments has not changed much, with the exception of the creation of the Overseas Departments, the reorganization of the Paris Region in 1964 and the border areas with Germany and Italy.

[3]France is often referred to as "The Hexagon" because of the geometrical shape of its territory. This metonymy dates from the 1960s after the regional planning policy initiated by President Charles de Gaulle and the opening of its borders with the Treaty of Rome in 1957.
BŒUF, J.-L; LEONARD, Y.. *La République du Tour de France*. Paris: Éditions du Seuil, 2003, p. 75.

- the French overseas collectivity: Saint-Martin;

- the French overseas departments: Guadeloupe, Martinique, Réunion, Mayotte and Guiana.

These five overseas departments are French outermost regions, OR. The European Union considers Azores and Madeira as Portuguese ORs and the Canary Islands as Spanish ORs. The overseas countries and territories, OCT, France, the Netherlands, Denmark and the United Kingdom benefit from an association regime with the European Union but are not yet part of it, however, they receive financial assistance[4].

After these historical and legal considerations, our study proposes to approach the place of Guyana as a French OR in three aspects. From an institutional point of view, what are the treaties, conventions, protocols adopted by the European Union, and therefore by France, in which Guiana is included as an overseas department and an OR. Under the economic and national security aspect, what are the neighborhood relations between France and the neighboring countries, Suriname and Brazil. Finally, what regional integration Guyana can aim for on the Guiana Shield taking into account its demographics and economy, given its historical past and geopolitical location. Essentially, our study proposes to analyze the challenges that Guiana has to face in a globalized and socially changing world in the XXI century.

## Institutional inclusion and exclusion of an Outermost Region: the case of overseas Departments

The constitution of the Fifth Republic of October 27, 1946 creates the French Union that refers to the political organization of France and its Second colonial empire (1830-1954). This constitution in its article 60 unifies the territories associating the metropolis, metropolitan France, the overseas departments, DOMs, and the overseas territories, TOMs. It also suppresses the differentiated status that existed between "citizens" and "indigenous", according to the definition of the Preamble of that constitution: "*France shall form with its overseas peoples a Union founded upon equal rights and duties, without distinction of race or religion"*. The same idea is repeated in article 80: "*All individuals from overseas territories have the status of citizens, in the same way as French citizens in the metropolis or overseas territories. Special laws shall determine the conditions under which they may exercise their rights as citizens*[5]". The French Union is replaced

[4]ZILLER, J. "L'Union Européenne et l'Outre-mer". *Pouvoirs*. Paris: Presses universitaires de France, vol. 113, n°. 2, 2005, pp. 125-136. Available on: https://www.cairn.info/revue-pouvoirs-2005-2-page-125.htm# Consulted on: May, 8, 2020.

[5]Available on: https://www.conseil-constitutionnel.fr/les-constitutions-dans-l-histoire/constitution-de-1946-ive-republique Consulted on: July, 04, 2020.

by the French Community defined by the constitution of October 4, 1958 and with the establishment of the Fifth Republic.

After the Second World War, the first debates that would later lead to the establishment of the European Economic Community, EEC, began. The completion of the single market is progressive and begins on April 18 1951 when the Treaty of Paris establishing the European Coal and Steel Community, ECSC, is signed. Signed by France, Italy, Belgium, Luxembourg, the Netherlands and the Federal Republic of Germany, this treaty comes into force for a period of 50 years (1952-2002) and is applied only to European territories depending on the member States. Consequently, Guiana is not concerned by that treaty.

The second major step towards European construction is the signing on March 25, 1957, by the six ECSC countries of the Treaty of Rome or the Treaty establishing the European Community, TEC. This treaty consists of two treaties: the first creates the European Economic Community, EEC; and the second creates the European Atomic Energy Community, EAEC or Euratom. The first treaty, in its Fourth part, entitled "The association of overseas countries and territories", and its article 131 stipulates the following: "*The Member States hereby agree to bring into association with the Community the non-European countries and territories which have special relations with Belgium, France, Italy and the Netherlands. These countries and territories, hereinafter referred to as "the countries and territories", are listed in Annex IV to this Treaty*[6]."

Annex IV "Overseas countries and territories to which the provisions of Part IV of the Treaty apply" applies to the overseas territories of the French colonial Empire. French territories in Africa are: Ivory Coast, Dahomey, Guinea, Mauritania, Nigger, Senegal, Sudan and Upper Volta, Congo, Gabon, Ubangui-Chari and Chad; The territories under protection of France are: Togo and Cameroon; the territories of the Comoros islands, with the exception of Mayotte, for which the OCT regime remains in force, Madagascar, the French Somali coast, Djibouti. The status of overseas territories continues to apply to Saint-Pierre-et-Miquelon, New Caledonia and French Polynesia[7]. During the French colonial empire, these territories were recognized as French establishments in Oceania, as were Wallis and Futuna, who were a French Protectorate. The French Southern and Antarctic Lands, (Terras austrais e antárticas francesas - TAAF), are recognized as overseas territory by the Law of August 6, 1955[8].

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[6]Available on: https://op.europa.eu/pt/publication-detail/-/publication/ea300365-230f-41be-b8ce-ed1ec10a9d72 Consulted on: July, 04, 2020.

[7]Available on: https://trade.ec.europa.eu/tradehelp/pt/paises-ou-territorios-ultramarinos-ptu Consulted on: July, 04, 2020.

[8] Law n° 55-1052, "Estatuto das Terras Austrais e Antárticas Francesas", *in French*. Available on: https://www.legifrance.gouv.fr/jo_pdf.do?id=JORFTEXT000000879815&pageCourante=07979

The Treaty of Rome, however, in its Sixth part entitled "General and final provisions", provides in Article 227, at the request of France, that "*Algeria and the French overseas departments, the general and special provisions of this Treaty [...] shall apply as from the date of the entry into force of this Treaty*[9]." This paragraph remains unchanged until the Amsterdam Treaty signed on October 2, 1997, when it is replaced by article 299 covering all outermost regions, OR. However, it is the Maastricht Treaty signed on February 7, 1992 that gives a political vocation to the European Economic Community, EEC, which will become the European Union, the EU. This treaty recognizes for the first time the term outermost regions, OR, in a declaration annexed to the Treaty[10].

On January 1, 1986, Portugal and Spain joined the European Community, EC, thus forming part of the 12 member States composed of Germany, Belgium, Denmark, France, Greece, Ireland, Italy, Luxembourg, the Netherlands and the United Kingdom. With the accession of Portugal and Spain, three new outermost regions located in Europe are incorporated into the European Community: Azores, Madeira and the Canary Islands. Thus, the Treaty on European Union or Maastricht, in the "Declaration on the outermost regions of the Community" states the following:

> The Conference acknowledges that the outermost regions of the Community (the French overseas departments, Azores and Madeira and Canary Islands) suffer from major structural backwardness compounded by several phenomena (remoteness, island status, small size, difficult topography and climate, economic dependence on a few products), the permanence and combination of which severely restrain their economic and social development.

The 1997 Treaty of Amsterdam amends the 1957 Treaty of Rome establishing the European Economic Community, EEC. It also amends the 1992 Maastricht Treaty that structures the European Union, EU. It is the Amsterdam Treaty that proposes the creation of a single currency, the Euro, in circulation since January 2002. That same Treaty rewrites article 227 of the Treaty of Rome, updating it in these terms according to article 299, § 2:

> The provisions of this Treaty shall apply to the French overseas departments, the Azores, Madeira and the Canary Islands.
> However, taking account of the structural social and economic situation of the French overseas departments, the Azores, Madeira and the Canary Islands, which is compounded by their remoteness, insularity, small size, difficult topography and climate, economic dependence on a few products, the permanence and combination of which severely restrain their development[...].

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Consulted on: July, 04,2020.

[9]Available on: https://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:11957E/TXT&from=FR Consulted on: July, 04, 2020.

[10]Available on: https://europa.eu/european-union/sites/europaeu/files/docs/body/treaty_of_amsterdam_pt.pdf Consulted on: July, 04, 2020.

The Amsterdam Treaty of 1997 when establishing the European Union, EU , in document No. 30 Declaration on island regions, "*island regions suffer from structural handicaps linked to their island status, the permanence of which impairs their economic and social development."*. In the case of the ORs, the term "island regions" is synonymous with "distance". Geographically, they are islands, archipelagos, and a continental territory, French Guiana is 7,000 km away from the Metropolis. The French ORs, unlike the Portuguese and Spanish ORs, face besides the geographical distance, difficult climate, economic dependence, scarce and limited production.

Altogether, these regions are inhabited by more than 4.8 million individuals. Despite these disadvantages, the French Departments, Guadeloupe, Martinique, Mayotte, Réunion, Guiana and the Collectivity, Saint Martin, are regions that are part of the European Union, EU. As such, its legislation applies to these Departments and Collectives, with rights and duties associated with France's accession. However, we can question how Guiana stands between this community legislation and its geopolitical, economic, and cultural context.

## Guiana, between cooperation and economic and regional geopolitical interests

Guiana's geographical position has unique potential. It is a strategic area in the world with its own characteristics; in the field for research and innovation, in the area of biodiversity, in the study of terrestrial and marine ecosystems, in pharmacology, in the development of renewable energies, in the application of space technologies. These elements allow an European presence on the South American continent due to France. The natural and economic challenges facing Guiana have led the EU to resort to strategies for its development while exploiting the assets of this OR.

Another objective of the EU is to make these regions known. In March 2017, in Brussels, Jean-Claude Juncker, President of the European Commission, concluded his speech at the Forum of the outermost regions in these terms: "*The outermost region is not yet known to the European public in general, but it is under this status that nine large European overseas territories are brought together. They are part of the European Union and, in fact, are subject to community law, as they fall within the scope of the Treaty on the Functioning of the European Union and its Article 349.*"[11] (STOKKINK, 2018).

[11]Free translation: "Si la dénomination de Région ultrapériphérique (RUP) n'est pas encore connue du grand public européen, c'est pourtant sous ce statut que sont réunis neuf territoires ultramarins européens majeurs. Ces derniers font partie de l'Union européenne et sont de fait assujetti au droit communautaire puisqu'ils entrent dans le domaine d'action du Traité sur le fonctionnement de l'Union européenne et de son article 349 qui leur est dédié".
STOKKINK, D. "Les régions ultrapériphériques. Défis et perspectives". Collection Études & dossiers. Bruxelles: fév.

Guiana is a territory of 84,000 km², 90% of which is covered with tropical forest. According to the estimates of the National Institute of Statistics and Economic Studies (Institut national de la statistique et des études économiques - INSEE), Guiana has a population of 282,000 inhabitants concentrated mainly in the coastal area and in the north of the Department. With a demographic growth of 2.6% per year and a cosmopolitan population, one in three inhabitants in Guiana is of foreign nationality. It is in this context of immigration that the question of Guiana's borders arises. According to the French geographer Michel Foucher (1988, p.38) "*borders are elementary spatial structures, in a linear way, with a function of geopolitical discontinuity and marking or reference, in the triple register of reality, representation, and imagination*[12]."

Guiana's borders are delimited on the east by the Oiapoque River and on the west by the Maroni River. It is surrounded by the countries, Suriname and Brazil, and to the north, by the Atlantic Ocean. As we have already seen, the colonization of America and the occupation of the Guiana Shield dates back to the beginning of the XVII century and involves the kingdoms of France, England, and the Netherlands. In this competition, the borders advance according to colonization and military conquests. We recall that in 1633, the Company of Rouen obtains the right to sell and navigate in this maritime space and that, in 1663, the Equinoctial Company, enjoying the same prerogatives, wishes to extend the French colonization from the Orinoco to the Amazon (MONTABO, 2004, p.61-65).

The French try to limit Dutch expansion in the West by consolidating their positions to the Maroni River. In 1666, Governor Joseph-Antoine De la Barre (1622-1688) elaborates a map establishing the Franco-Dutch border at the Maroni without, however, a treaty being signed. A treaty between France and the Netherlands is signed only in 1915, establishing a partial demarcation of the border on the Maroni River. The final border line is the subject of a disagreement between France and the Netherlands and then between France and Suriname, which had its independence in November 1975 and takes the Dutch position. In the next chapter, we will see that recent incidents in the fight against illegal mining on the Maroni River have updated the question of the border dispute between Suriname and French Guiana.

The delimitation of the borders of the territory of Guiana arises from disorderly colonization and disputes over its sovereignty. In the XVII century, the Treaty of Utrecht (1713) guarantees Portuguese sovereignty in Northern Brazil and defines the Oiapoque River as a mark of this

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2018, p.4. Available on: http://www.pourlasolidarite.eu/fr/publication/les-regions-ultraperipheriques-defis-et-perspectives Consulted on: Jun. 10, 2020

[12]Free translation: "Les frontières sont des structures spatiales élémentaires, of forme linéaire, à fonction de discontinuité géopolitique et de marque or de repère, au triple registre du réel, du symbolique et de l'imaginaire." FOUCHER, M. *Fronts et frontières, un tour du monde géopolitique*. Paris: éditions Fayard, 1988, p.36.

delimitation. However, France does not recognize this border because, according to the country, Guiana was extended to the Araguari river. In the XIX century, in a context of rivalries and wars, in January 1809, the Portuguese-Brazilian army in retaliation against the invasion of Portugal by Napoleon Bonaparte's troops (1769-1821) occupies Guiana. French historian Jean Soublin (2003, p. 41-42) notes that "*Portugal wishes to restore its honor by taking military action against the French, and it naturally turns its attention to Guiana. But this symbolic revenge is not the government's priority. In Rio, what occupies, or obsesses everyone, is the Rio da Prata question*".[13] This occupation ends in November 1817, with the Bourbon Restoration in France and the Congress of Vienna (1814-1815).

The discovery of gold in 1854 activates the interest of the French authorities who claim a space that is larger than the one occupied and populated by almost 28,000 inhabitants according to the 1854 census[14]. Both the abolition of slavery and the discovery of gold have direct consequences on the growth of spontaneous immigration to the territory inland. These movements are part of a certain resistance to the central power and the desire to establish an export agricultural colony in Guiana. These disadvantages disregard the French ambitions and its policy of appropriation of the space that continues to be disputed by Brazil and the Netherlands. In December 1900, Swiss arbitration ended the Franco-Brazilian dispute, favoring Brazilian claims. According to the French geographer Stéphane Granger (2011, p. 167), Brazil's triumph by peaceful means, even facing one of the greatest powers of the time, was the product of a geopolitical reflection that caused the birth of a Brazilian school of geopolitics and characterized the Latin-American continent during the Cold War.

The Franco-Brazilian border is not limited to the Oiapoque River. At the southern end of this border, a non-fluvial and difficult to access region exists. This dyad was established in 1938 when France, Brazil, and the Dutch Suriname established a connection point. In 1950, France and Brazil delimited the border between the Amazon basin and the hydrographic basins of the Guiana rivers that flow into the sea. As for the Atlantic Ocean, Guiana's coastal border corresponds to 200 miles, or 370 km. Which is its exclusive economic Zone (EEZ), a reserved area where France can explore and protect all its marine and submarine resources. Thus, France has the second largest EEZ in the world, behind the United States (11.4 million km²) and ahead of Australia (8.1 million km²).[15]

[13]Free translation: "Le Portugal désire restaurer son honneur par un geste militaire contre les Français, et c'est naturellement vers la Guyane qu'il tourne son attention. Mais cette revanche symbolique n'est pas du tout la priorité du gouvernement. A Rio, ce qui occupe, ou obsède, les esprits, c'est la question du Plata".

[14]PAPY, L. "La Guyane française. Premier article". *Les Cahiers d'outre-mer*. Bordeaux: Presses universitaires de Bordeaux, n ° 31, Juillet-septembre 1955. pp. 209-232. Available on: https://doi.org/10.3406/caoum.1955.1967. Consulted on: April 10, 2020

[15]GIRAUD, J.-P. "Zone Économique Exclusive française. 11 millions de km², pour quoi faire?"

As we have seen, since 1854, the discovery of gold in Guiana has taken prospectors and the population of the coast to the interior of the territory, causing depopulation and abandonment of agriculture. The gold rush also brought many adventurers from the French West Indies, which at their peak, in the early XX century, have between 20,000 and 30,000 gold prospectors. Many die of malaria, dysentery, yellow fever, or simply alone. For almost 100 years, Guiana has been extracting just over 200 tons of gold. With the price of gold in dollars/ounces resulting from the Bretton Woods Conference in New Hampshire in July 1944, the mining activity in Guiana collapses. After 1945 with the fall in gold prices, the resumption of its exploration is not encouraged. Guiana goes from 2 to 3 tonnes of gold mined per year in the early XX century to just 100 kg per year in 1980. It is only with the end of the Bretton Woods agreement in 1971 that leads the United States to abandon the convertibility of gold into dollars and the implementation of the Guiana mining inventory by the Bureau of Geological and Mining Research (Bureau de recherches géologiques et minières - BRGM), created in 1959, that a resumption of gold activity restarts[16].

In the 1990s, new mining operators in Guiana introduced the method of extracting alluvial gold already used in Brazil. This technique encourages Guianese Small and Medium-sized companies, SMCs, to engage in legal alluvial production, producing four tons of gold in 2001, despite the low price of gold on the market. Gold mining has provoked an appeal for labor, mainly from Brazil. There is a diversification of traditional emigration spaces and types of migration. Gold prospectors come mainly from western Pará, northern Mato Grosso do Sul, Roraima and Maranhão. This migratory dynamic is composed of single men, from 25 to 40 years old, with little connection to the urban environment (PIANTONI, 2008, p. 140). We will see that with legal mining controlled by the State, illegal or clandestine mining activities conducted by illegal prospectors are developed in parallel. This type of gold mining, confronted today by the armed forces, has harmful consequences for the environment and directly impacts indigenous populations.

## Guianese challenges in the face of its internal issues in a changing world

The Mining Code was created by decree on August 16, 1956. However, its foundation is already constituted by the imperial law of April 21, 1810. Reforms are conducted in 1970, 1977 and 1994[17]. The new Mining Code results from the ordinance of January 20, 2011, applicable from

Publication de l'ANAJ-IHEDN. Toulouse: march 2016. Available on: https://jeunes-ihedn.org/wp-content/uploads/2016/03/ANAJ-ZEE-2016.pdf Consulted on: June 10, 2020.

[16]Available on: https://www.geosoc.fr/liens-docman/reunions-scientifiques-et-techniques/6eme-edition-des-journees-mines-en-france/1379-exploitation-de-l-or-en-guyane/file.html Consulted on: April 10, 2020.

[17]Sociedade geológica da França. "Algumas etapas da legislação recente".

March 1, 2011. Only the legislative part was composed. On April 13, 2011, a bill that ratifies this ordinance is delivered, strengthening the participation of public authorities in this activity. The title of mining, concession, exploration permit, exists only in the Overseas Departments nowadays. The legal mining industry prefers to use the term "mining operator" rather than gold prospector who has a negative connotation and is linked to illegal or clandestine mining.

In Guiana, it is estimated that, on average, 10 tons of gold are mined illegally and that between 6,000 and 10,000 gold prospectors live illegally in the territory. Illegal mining activities in Guiana lead to deforestation of large areas of primary forest, mercury pollution, destruction of rivers, insecurity, prostitution, drugs, armed attack, diseases linked to precariousness such as malaria, yellow fever and dengue. Faced with the proliferation of illegal gold mines, the French State decides to create "Operation Anaconda" which aims to destroy pumps' engines, generators and clandestine gold mining sites. Between 2002 and 2008, this operation was directed by the French national Gendarmerie with the objective of making gold exploration unprofitable, thus discouraging future prospectors[18].

During the term (2007-2012) of the President of the Republic, Nicolas Sarkozy (1955-), Operation Anaconda, which also aims to guarantee respect for the sovereignty of the national territory, is replaced in February 2008 by "Operation Harpy" (royal-hawk). This operation aims to eradicate illegal mining, to protect the aquatic and forest environment, to guarantee the safety of the local population against trafficking and criminal activities. Operation Harpia is directed by the regional Mayor and the Public Prosecutor and has as a new target to attack the logistic networks of illegal mining, that is, to dismantle the network that supplies materials and food to the prospectors. This tactic of establishing dams on rivers used by the military causes changes in routes, delays, increased prices and decreased transported products[19].

In 2007, 113 "Anaconda" operations were conducted in Guiana against illegal prospectors. These operations helped to slow the expansion of illegal mining. When the operation "Harpia" was created, the armed forces increased the number of attacks on clandestine locations, destroying the confiscated equipment. Even with improved controls on roads and rivers, illegal prospectors have nevertheless become more mobile and discreet. They operate at night making it more difficult to be detected (FAGARD, 2013). In 2010, almost 600 Harpy Operations are conducted, causing the arrest of 1500 illegal foreigners. Between 2010 and 2020, the direct or occasional human losses of French

Available on: https://www.geosoc.fr/code-minier/historique.html Consulted on: June 12, 2020.

[18]PETIT, R. "2008-2018: l'opération Harpie fête ses 10 ans". *Soutien logistique défense sécurité*. Paris: janeiro 2018. Available on: https://operationnels.com/2018/01/31/2008-2018-loperation-harpie-fete-ses-10-ans/ Consulted on: July, 04, 2020.

[19]Available on: https://www.senat.fr/rap/r10-271/r10-2716.html Consulted: July, 04, 2020.

forces in the fight against illegal mining had 9 military personnel. In 2018, Operation Harpia destroys 765 illegal gold mining sites, 401 motor bombs and confiscates 205 weapons and 120 kilograms of mercury[20]. Confident with the success of Operation Harpia, the president-elect in May 2017, Emmanuel Macron (1977-) renews Operation Harpia 2. In addition to the National Gendarmerie, the Guiana Defense Force, GDF, the Regional Mayor and the Public Prosecutor, gathered to combat illegal mining, the Guiana Amazonian Park, GAP, the National Forest Bureau, NFB, the Border police, BP and customs control are now part of the combat[21].

In Guiana, Operation Harpia's mission is to fight against illegal gold mining, which suffers mainly from illegal immigration of prospectors from Brazil, Suriname, and Haiti. In the context of an interministerial action, Operation Harpia groups administrations that operate in the forest and rivers in an intensive campaign aimed at reducing illegal gold mining in Guiana. Thus, the Border Police Department, DDPAF, with the armed forces try to: disorganize the flow of goods traffic destined for illegal mining; identify the individuals involved in this crime so that they can be prosecuted; deport the irregular prospectors to the border and, finally, destroy materials used in the extraction of gold, rehabilitating the rule of the State in these spaces invaded by illegal immigrants[22].

In Guiana, the starting point of a spontaneous economic immigration is the failure of the French State's economic planning in 1975. Guiana's status as an overseas department as an indivisible national space did not allow the establishment of appropriate public policies for the territory. Therefore, since then, France has resorted to social legislation that consists of transferring public funds. As an example, we can mention the Family Aid Fund, CAF, which is a private law body, with departmental competence and responsible for the payment of financial benefits of a family or social nature. This fund also has a social action policy to encourage and support local actors, authorities, and associations, in the development of services adapted to the necessities of families, such as daycare centers, leisure centers, actions to support parenthood, animation of social life, among others (BICHOT, 2012).

In Guiana, CAF offers benefits to seven out of ten families, including families with children. In 2013, 183 million euros were paid to the 36,200 families benefited through family allowances.

[20]Available on: https://www.defense.gouv.fr/operations/actualites2/fag-bilan-2018-de-l-operation-harpie. Consulted on: May 12, 2020

[21] Available on: http://geoconfluences.ens-lyon.fr/informations-scientifiques/dossiers-thematiques/la-frontiere-discontinuites-et-dynamiques/articles-scientifiques/maroni-frontiere-guyane-suriname Consulted on: May 12, 2020.

[22]"Balanço da Luta contra a mineração ilegal de ouro, LCOI-2018". *Préfet de la Région Guyane*. *Les Services de l'Etat en Guyane*. Paris: 17/01/2019. Available on: http://www.guyane.gouv.fr/Politiques-publiques/EMOPI/Bilan-LCOI-2018 Consulted on: June 13, 2020.

Of these 36,200 supported families, the majority are single parents (58%), followed by couples with children (39%) and more marginally couples without children (3%). The Family Aid Fund provides housing or social assistance to 65% of isolated people, including 35% men and 30% women. Finally, even if people in an irregular situation on the French territory are not beneficiaries of this aid fund, this situation of false progress without real endogenous development thus generates a migratory appeal in the region.[23]

From the point of view of the international context at the end of the XX century, three political events will influence the immigration flow towards Guiana:

- the economic and political crises in Haiti with the death of dictator François Duvalier (1907-1971) and the succession of his son Jean-Claude Duvalier, the "Baby doc" (1951-2014);

- the acquisition of independence from Suriname in November 1975, the coup d'état in February 1980 as well as the civil war in April 1986;

- the military dictatorship in Brazil (1964-1985), the increase in poverty, social unevenness, and violence in the country; all of these events are factors that drive regional immigration to Guiana. The French state's social interventionism with its funds transfer economy, wage costs, and social benefits allow Guiana to have the highest standard of living in South America. This situation of social progress and dependence without local development therefore creates a paradox and a migratory attraction to Guiana[24].

In France, ethnic statistics are prohibited under Article 1 of the Constitution of October 4, 1958: France "shall *be a Republic, indivisible, secular, democratic, and social. It guarantees equality before the law for all citizens, regardless of origin, race or religion* "; and Law No. 78-17, of January 6, 1978, "Informatics and freedoms" which states: "The *collection and processing of personal data that reveals, directly or indirectly, the racial and ethnic origins, the political, philosophical, religious opinions or trade union affiliation of persons, or which concern their health or sexual life, is prohibited*". Thus, to establish the origin and number of illegal immigrants is difficult. INSEE's official statistics are based on legal immigration and data provided by city halls that issue residence permits.

In metropolitan and overseas France, immigration, be it chosen, legal, or spontaneous, irregular economic, severely suffers from a segregationist process. Unemployment rates reveal system inconsistencies. 16% of immigrants are unemployed, this rate is twice the rate of people born in France. Another notable segregation is socio-spatial segregation, and this is noticeable in the

[23]CHARRIER, R. (direction). Dossier Antilles-Guyane. INSEE Guyane. Guiana: n.4, maio 2017. Available on: file:///C:/Users/lsh/Downloads/gy_ind_04.pdf Consulted on: June 13, 2020.
[24]Available on: file: /// C: /Users/lsh/Downloads/hommesmigrations-259.pdf. Consulted on: May 14, 2020

location of immigrant neighborhoods. Finally, in Guiana, economic and socio-spatial segregation is compounded by the identity crisis that overwhelms the creoles. The first is endogenous in the face of a multiform society and in full demographic dynamism; the second is and exogenous regarding the creole process of assimilation to the nation without losing its Caribbean and Amazon specificity.

## Conclusion

Guianese society is undergoing changes and an internal rebalancing due to its demographic growth. In the 1970s, creoles represented 70% of the population, in 1999 that percentage increased to 45%. Another important factor of this mutation, in addition to immigration, is the political emergence of the local communities, the Marrons and Amerindians, who introduce a new dynamic in the relations of power and influences. The creoles who until then guaranteed social integration through economic superiority, the occupation of public and political positions are today seen in the turmoil and socio-political demands radicalizing and stigmatizing immigration in their discourse.

This is seen, for example, in the March 2017 social movement[25] and its main demands focused mainly on combating insecurity, improving health services, combating illegal mining and uncontrolled immigration. Between virulent demands and urban violence what is at stake is the authority of the State and a criticism of the policy of territorial and functional Decentralization, that is, the transfer of powers from the State to the local communities that advocates the law of March 1982, of the Minister of the Interior, Gaston Defferre (1910-1986), in the government of the first term of President François Mitterrand (1916-1996). In the case of Guiana, Decentralization gives the hegemonic creole community, above all, the role of mediator with the State. This role is questioned leading the local society to reevaluate its socio-cultural foundations.

One of the limits of the Decentralization law is the one of the French State's policy of always wanting an economic, social, and cultural alignment with the metropolitan model. To try to remedy these limits, the Overseas Guidance Law, (Loi d'orientation pour l'Outre-mer - LOOM), No 2000-1207, was enacted on December 13, 2000. This law considers two observations: the heterogeneous nature of the realities of the overseas departments and the deep inequalities that exist in these

[25]The social crisis in Guiana began in February 2017, following the murder of a young man in Cayenne. The movement of "500 brothers" was born after this murder, they were a group of people in hoods, more visible than the unions in Guiana. On March 17, a union collective launches a call for a "Marshall Plan" in Guiana. In the complaints document, we find the evocation of insecurity and lack of investments by the State. In 2008, Guiana had already experienced this type of upheaval, that time triggered by the very high price of gasoline. COMBRIER, E. "Comprendre la crise sociale en Guyane, en trois questions". *Les échos*. Paris: 27/03/2017. Available on: https://www.lesechos.fr/2017/03/comprendre-la-crise-sociale-en-guyane-en-trois-questions-163793 Consulted on: June 13, 2020.

societies. LOOM's drafting is based on Article 299, paragraph 2, of the Amsterdam Treaty which consolidates the creation of the European Community, EC and the legal integration of the overseas Departments. According to Article 1 of the LOOM (free translation), "*economic development, regional planning and employment in the overseas departments are, due to their economic, social and structural situation recognized [...] as priorities for the nation*". These two laws, national and supranational, agree on the necessity for reforms but do not define development strategies. Meanwhile, debates disturb Guiana that seeks policies for economic and social integration at the risk of social explosion.

The outermost regions, ORs, first recognized in 1992 by the Maastricht Treaty and defined in 2009 with Treaty of Lisbon coming into force, are defined by Article 349 of the Treaty on the functioning of the European Union, TFEU. According to this Treaty the "*structural economic and social situation*" of these nine remote regions, with difficult and dependent climates, "*severely restrain their development*"; Guiana, as an OR, is concerned with the EU's cohesion policy, which consists of reducing the differences in wealth and development between the regions of the European Union as it falls under the category of "least developed region". This qualification is given according to economic and social criteria, which allows it to benefit from larger allocations from the European Structural and Investment Funds, ESIF, or obtain specific assignments from the European Regional Development Fund, ERDF.[26]

Finally, the ORs participate in the Territorial Cooperation Program, INTERREG, co-financed by the ERDF fund. These development programs made € 13.8 billion available between 2014-2020, allowing Guiana to participate in regional cooperation projects with Brazil or Suriname, for example. The construction of the 378-meter cable-stayed bridge, 15 meters above the river, opened in 2017, at a cost of 22 million euros, between the border cities São Georges and Oiapoque is the result of these investments.

The "bridge of friendship", useless for now, but symbolic, has the geopolitical objective of breaking the isolation of the city of São Georges and its 3500 inhabitants. In the future, it should also promote an opening to South America for France, as well as commercialization between the European Union and the Southern Common Market, MERCOSUR. Even if Guiana's borders are

[26]The European Regional Development Fund, ERDF, operates in the policy of economic, social and territorial cohesion. Its aim is to strengthen economic and social cohesion in the European Union, by correcting imbalances between its regions. In France, in 2014-2020, the ERDF represents 8.4 billion euros devoted to "investment for growth and employment", consolidating the labor market and regional economies. To this budget, 1.1 billion euros is added for "European territorial cooperation", which aims to support cohesion in the European Union through cross-border, transnational, and inter-regional cooperation.
*Agence nationale de la Cohésion des territoires*. Available on: https://www.europe-en-france.gouv.fr/fr/fonds-europeens/fonds-europeen-de-developpement-regional-FEDER Consulted on: June 13, 2020.

areas of interfaces, places of exchange, zones of passage, contacts with cities on both sides of the rivers, nevertheless no cultural discontinuity exists. We can confirm this with the Amerindian population that live and circulate on the right or left bank of the rivers, claiming the forest space as their land and demanding freedom of movement and activities. In Maroni, the Indians do not refuse French citizenship, which offers legal protection against the violence committed against them. In Oiapoque, many Indians flee from intolerant evangelical churches accepting a French influence transmitted by the school and administration, receiving free medical care and social benefits such as the Minimum Integration Income, (Revenu minimum d'insertion - RMI), created in 1988 and the Solidarity Active Income (Revenu de solidarité active - RSA) created in 2007.

To conclude, we can say that Guiana's difficulties of a material nature are recognized and depend mainly on funding in the sectors of education, health, infrastructure, and security. From a regional point of view, it must increasingly integrate the Guiana Shield even if it adds new geopolitical problems. Our study aims to provide a brief reading of the challenges that Guiana must face in the light of three ranges: legal, economic, and social. This study seeks to go beyond the declaration of uncertainties and tries to detect the signs of a possible reconciliation between Guiana and its neighbors. The Guiana Shield, as a region, must recognize the legitimacy of differentiation and the cooperation requirements for better integration of the Amazonian population. The result of this article can be disappointing if we consider only the economic and legal aspects of neighborhood relations without considering the circulation of individuals and the socio-cultural wealth.

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