Report of the Roundtable on Mining and Indigenous Peoples Issues

Convened through the IUCN-ICMM Dialogue on Mining and Biodiversity

Gland, Switzerland
8 – 9 November 2005

This report was prepared following the Roundtable on Mining and Indigenous Peoples Issues as a record of the discussions of participants who were acting in their individual capacities and is not, nor should any of its contents be interpreted as, the policy of either IUCN or ICMM.
Abstract

The Roundtable on Mining and Indigenous Peoples Issues, which was part of the Dialogue on Mining and Biodiversity between IUCN and ICMM, addressed key issues identified by participants, including free prior informed consent, land rights, capacity building, development, institutions and roles, and legal frameworks. As a platform that supports building relationships and understanding between parties, the Roundtable also highlighted the need for progress in addressing these issues, through relevant fora/processes at global, regional and national levels, and suggested areas and opportunities for future activity.

1. Background

At the World Summit on Sustainable Development (WSSD, Johannesburg, August 2002), the World Conservation Union (IUCN) and the International Council on Mining and Metals (ICMM) launched a Dialogue on mining and biodiversity. The idea was to provide a platform for communities, corporations, non-governmental organizations (NGOs) and governments to discuss and seek the best balance between the protection of important ecosystems and the social and economic importance of mining. IUCN and ICMM have committed themselves to discussing a full range of issues with the objective of enhancing the contribution of the mining industry to biodiversity conservation.

While mining and biodiversity is the key focus of the Dialogue, the Terms of Reference for the Dialogue and the work program for 2004 – 2005 call for IUCN and ICMM to provide a platform to discuss related issues, including free, prior informed consent and the empowerment of Indigenous peoples and local communities, and identify relevant fora/processes through which these might be further pursued. As a result, in November 2005 a Roundtable on Mining and Indigenous Peoples Issues was convened by IUCN and ICMM. The Roundtable was an important component of the Dialogue.

The Roundtable was attended by 30 individuals (see Annex 1 for Participants List) from very diverse backgrounds, including Indigenous peoples’ organizations, national Aboriginal organisations, IUCN Council, companies, non governmental organisations (NGOs) and industry associations, and international organizations. Participants were invited based on their individual experience and knowledge of the issues involved in the relationship between mining and Indigenous peoples.

The major part of the Roundtable was designed as open, candid discussion. The discussion was held under the Chatham House rule, which requires that any written records and subsequent discussions not attribute comments to individual participants or institutions. To provide some background on the IUCN-ICMM Dialogue and previous work done on these issues, representatives from IUCN, ICMM, and the Office of the High Commissioner for Human Rights were also invited to provide brief presentations.

2. Objectives

The overarching objective for the Roundtable was to “identify, discuss, and scope out the issues related to mining and Indigenous peoples including, but not limited to prior informed consent, and the effective involvement of Indigenous peoples and local communities in making conservation and development related decisions affecting them”. The Roundtable was also convened to “identify relevant fora/processes through which issues could be pursued further. Within this, two specific objectives for the Roundtable were to offer a platform to build understanding between all parties and to build relationships and engage at a global level”.

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Expected outcomes from the Roundtable were:

- “Building consensus on fora/processes through which the issues can be further pursued; and
- More productive engagement between the mining industry and Indigenous peoples at a global level”

3. Welcome and Background Presentations

3.1 The World Conservation Union (IUCN)
Participants were welcomed by IUCN to the Roundtable and provided with some background on IUCN and its history. Established in 1947, IUCN is a union of members that includes governments and non-governmental organizations (NGOs). Its primary focus is environmental conservation but looks at this subject through the lens of sustainable development, encompassing environmental, economic, and social policy. It operates under six voluntary commissions that handle a wide range of issues. It is supported by the work of more than 10,000 volunteer specialists.

IUCN has had linkages with the private sector for most of its life, but these have increased significantly in the last two to three years. A private sector strategy has been developed that focuses on extractive industries, forestry, and agriculture. In its work, IUCN has provided a convening and facilitating platform that focuses on policy discussion, not on prescription. The Roundtable on Mining and Indigenous Peoples Issues was viewed as an example of such work, and was the first Roundtable to be held under the Dialogue. The Roundtable was, however, addressing issues which have been discussed in a number of other fora over the years, including those convened by the Office for the High Commission on Human Rights, and the United Nations Permanent Forum on Indigenous Issues, and thus sought to build on the work and discussions in these previous meetings.

IUCN has not had a strong track record of working with Indigenous peoples, and recent years have witnessed efforts to improve in this regard. On this and on work with extractive industries more generally, it is guided by the IUCN programme and a number of IUCN Congress resolutions (made available to Roundtable participants).

IUCN’s particular interest in the Roundtable was focused on those areas where mining, Indigenous peoples and conservation intersect. This area of intersection placed the Roundtable within the scope of the IUCN-ICMM Dialogue, which strives to remain conscious of broader issues such as the empowerment of Indigenous peoples and affected communities, and legacy issues. The Roundtable was an opportunity to identify areas of commonality and difference and to discuss how they might be taken forward into relevant fora and processes.

3.2 The International Council on Mining and Metals (ICMM)
Participants were also welcomed by the chair of ICMM’s Indigenous Peoples Working Group and also thanked for taking a leap of faith in agreeing to come. ICMM is a relatively young organization that grew out of the Global Mining Initiative with the aim of promoting better industry practice on sustainable development. Its membership includes 15 companies and 24 industry associations.

ICMM’s work is accomplished through a number of task forces. The work on Indigenous peoples falls under the scope of ICMM’s Community and Social Development Task Force. To inform its work, it commissioned an issues review a year ago, to canvass perspectives from industry and others (http://www.icmm.com/library_pub_detail.php?rcd=175). It is in the process of developing a draft policy statement on Indigenous peoples.

ICMM recognises that Indigenous peoples have not had a positive history with mining, and there is yet a long way to go, and also notes the necessity of finding ways to work together to improve practice. The technical challenges of mining have been easier to overcome than the human challenges. While it was unsure whether there would be concrete outcomes from the Roundtable, it was a first step to building relationships and trust.
3.3 The Office of the United Nations High Commission for Human Rights

The Office of the United Nations High Commissioner for Human Rights (OHCHR) provided information on activities regarding extractive industries and Indigenous peoples within the UN system, explaining that such issues have been brought to the attention of the OHCHR for many years, guided by existing international customary law instruments, such as the International Labour Organisation’s Convention 169. These issues also are included within other intergovernmental initiatives, such as the UN and InterAmerican draft declarations, the Convention on Biological Diversity, and the Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights.

These issues have long been within the mandate of the OHCHR’s Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous people, and studied by the Working Group on Indigenous Populations. The UN Permanent Forum on Indigenous Issues has also included discussions on these issues within its work.

The OHCHR convened a workshop on the relationship between extractive industries and Indigenous peoples in 2001, and it is now looking for ways in which it can contribute to ongoing efforts with its focus on human rights. It is currently considering:

- Contributing to the development of standards for extractive industries with regard to Indigenous peoples and human rights;
- Contributing to the development of good practice guidance for industry;
- Convening and facilitating discussion of these issues within the framework of human rights.

A key challenge in moving these activities forward is the fact that there is no institutional “home” for such discussions. Like IUCN and ICMM, the OHCHR and other UN agencies (e.g., the ILO) have mandates that intersect with only a segment of the overall discussion. The UN Permanent Forum was seen as a body that could take more of a lead role.

4. Identification and Discussion of Issues

Beginning in plenary, each participant was asked to identify those issues she/he felt to be most critical in the relationship between mining and Indigenous peoples. The resulting reflections ranged widely and included:

Legal Frameworks and Key Actors

- Industry’s role in abiding by and strengthening legal frameworks that protect Indigenous peoples’ rights such as ILO169 and the draft Declaration on the Rights of Indigenous Peoples
- Governments’ role in building more constructive engagement
- The need to educate financial institutions (IFC, World Bank) about the issues

Free, Prior and Informed Consent (FPIC)

- Recognition of FPIC by industry and other actors
- Operationalising FPIC

Recognition of Land Rights

- Recognition of customary owners and customary law
- Need for recognition by national governments of international law protecting Indigenous peoples’ human rights (e.g., International Labour Organisation Convention 169), lack of industry recognition of such conventions

Sustainable Development

- Balancing short-term industry objectives with the need for long-term sustainable outcomes
- Biodiversity conservation and environmental impacts of mining

Capacity
- Capacity of companies (both majors and juniors) to be able to engage constructively with Indigenous peoples
- Capacity of Indigenous peoples to enter into dialogue with industry
- Need for documentation of what works, from both industry and Indigenous perspectives
- Need for practical guidance materials on implementing and monitoring good practice as it is defined by both industry and Indigenous peoples

Dialogue Opportunities
- Need for national and regional fora for dialogue, and question whether the global level is the best place to discuss these issues
- Bringing Indigenous peoples’ concerns to the forefront in discussions on mining, biodiversity, and other issues related to activity in Indigenous territories
- Need for government participation in dialogues
- Need for recognition and involvement of African organizations, communities, and companies in dialogue
- Need for an institutional “home” for such a dialogue

Several participants highlighted the need for recognition of these issues generally within IUCN as an institution, both within its conservation activities and through its interaction with the private sector and governments.

The participants were then randomly divided into three smaller groups for further discussion of the issues, and each group, while not prevented from discussing all the issues, was asked to focus on a topic or combination of topics as follows:

- Group 1: Legal frameworks and key actors
- Group 2: Capacity and development
- Group 3: FPIC and land rights

The small groups then provided summaries of their discussions in plenary for questions and input from the other participants.

4.1 Legal Frameworks and Key Actors
Group 1 discussed a number of actors involved in the relationship between mining and Indigenous peoples, including governments, companies, the “public,” international financial institutions (IFIs), Indigenous peoples, communities, and bilateral agencies. The “public good” was seen as being invoked as a justification for going forward with a project, but the group questioned who the “public” was in “public good” concluding that in many cases it is the urban elite. The state was described as often having significant internal power disparities, with those ministries managing mining having more power and access than those responsible for Indigenous peoples’ concerns. It was also felt that existing legal frameworks often give more weight to mining interests than to protecting Indigenous peoples’ rights.

The group also discussed the differences between companies, especially those between the majors and the juniors. Majors are seen as working to raise the bar and elevate standards of behaviour, while juniors are often struggling to keep up and are often held to be less accountable. This may reduce some of the incentive for juniors to invest in better practice.

The group felt that the lack of recognition of customary authorities and law is a significant problem. There are differences in how governments view customary laws and attendant rights (e.g., with regard to land and resources, use rights v. ownership). Recognition of customary authorities and law and Indigenous peoples’ rights is therefore crucial to attaining FPIC. Companies are likely to need to go beyond the minimum requirements of existing legal frameworks.
The group also raised the question of whether international trade regimes and market forces are driving for more mineral exploration and quicker development opportunities, which may be adding to the pressure for lower standards of industry behaviour, or whether new policies and performance standards (e.g., from international financing) may assist in developing higher environmental standards and greater focus on multinational mining interests. The interest in short-term returns on investment within institutions such as the World Bank and IMF may be weakening protective legal frameworks.

Suggestions from this discussion group included:

- Joint monitoring activities of mining operations
- Identification and documentation of best practices
- Need for both voluntary and mandatory/regulatory standards
- Need for industry support for stronger frameworks, recognizing that there is a good business case for stronger frameworks
- Need for international standards to achieve consistency across multinational companies
- Need for international pressure where sufficient movement is not happening at the local level.

When the floor was opened for comments from other participants, some raised the need to not only “unpick” actors such as governments, but also civil society, which was described as segmented by interests and representivity on the issues of Indigenous peoples and mining.

Other comments focused on not just the differences between junior and major mining companies, but also the relationship between them. Exploration was described as often being outsourced to juniors. Juniors are therefore much more likely to be the point of first contact between industry and Indigenous peoples, and they may be less likely to have the skill set needed to effectively engage with Indigenous peoples. This has in some cases resulted in legacy issues and unmet expectations, even before mine production begins. Additionally, some juniors do continue into the production phase, supporting arguments for applying consistent standards across the industry.

Industry associations were seen as a way to move these concerns forward, with descriptions of some existing tools (e.g., the Prospectors and Developers Association of Canada’s E3 online guidance materials). While these focus more extensively on environmental concerns, some guidance is provided on social issues. It was also emphasized that “juniors” are not all the same. As with other industries, the sector is stratified and includes leaders, followers, and laggards. Good practice should be recognized where it exists, and expectations of behaviour need to be scaled to what the companies are doing on the ground. According to one industry participant, there is support from some juniors to evolve cases of good practice into a standard.

Some participants also raised concerns about state-owned companies, which were viewed as operating at the lowest standard of behaviour.

With regard to national legal frameworks, some participants emphasized that many were not consistent with international standards and laws, or where the principles existed in national frameworks, they were not enforced. This situation is particularly relevant to mining and other large development projects in Indigenous territories. A question was raised as to whether there was a preferred legal model in which Indigenous peoples’ concerns and rights were incorporated in a sufficiently robust way. A few participants answered that given the diversity of situations, there could be no single model that will work in all cases and that frameworks must be tailored. Others emphasised the need to explore national frameworks as a “suite” of structures and laws (governing mining, environment, water, Indigenous peoples, and so on).

Regarding whether companies should influence governments with regard to the distribution of taxes and benefits from mining activity, several participants acknowledged that there is often a problem with central governments taking the majority of revenue from an operation and distributing relatively little back to the

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4 See www.e3mining.com.
local area. This creates problems for companies in achieving a social license to operate and puts the burden on companies to provide services to communities in areas where they operate. Many participants iterated a call for transparent revenue sharing, equitable distribution mechanisms, and co-management of resources.

4.2 Capacity and Development
Group 2 discussed some of the principal components and concerns in the question of capacity. Participants felt that capacity building is needed for a number of different actors involved in the relationship between mining and Indigenous peoples, including:

- Communities
- Companies
- Governments
- Donors
- Investors

Capacity needs were seen to differ depending on the level of activity undertaken — from local to international — and the phase of project cycle being entered into. Each of these levels and phases was described as requiring different information and skill sets that may need to be developed. In general, capacity building was seen as including awareness raising, information, taking that information through to an understanding of impacts and options, and finally to skills development and training. This was described not as a linear process, but dynamic between the different kinds of capacity needs.

Using examples of community capacity needs, participants discussed the need for:

- Information on potential impacts (environmental, social…) and mitigation
- Knowledge of rights
- Financial management
- Leadership

Participants then raised questions regarding resources for building capacity:

- What information, case studies, networks are currently available, and how can actors access them or find out about them?
- What doesn’t currently exist and requires development? How, by whom and who pays?
- How can opportunities for cross-learning between the different actors be developed?

Participants within this group described the need for capacity building as an effort to create more balance between parties in these relationships, leading toward a concept of “partnership.”

When the floor was opened for comments on issues related to capacity, a few participants voiced concern over the use of the word “partnership.” One participant expressed scepticism that industry would be willing to increase the capacity of communities and increase the potential of their saying “no” to mining, and felt that it would be more likely that industry would be stressing capacity initiatives that would increase the likelihood of a “yes.” Another described the history of the IUCN-ICMM Dialogue and its beginning, where IUCN members expressed discomfort at the use of the term “partnership” when the Dialogue was launched at WSSD.

Other participants highlighted the need, therefore, for capacity building to be designed to meet the needs and goals of each of the parties, and not to presume that a project will move forward. It was reiterated that all parties require capacity building at some level, and this would include the need of companies to better understand Indigenous peoples’ concerns, decision-making processes, languages, and cultures. Some industry participants described efforts by industry to build community capacity while staying at arms length from the actual outcomes.

Some participants emphasized that a level of information sharing is necessary and is an initial form of capacity building. However, companies and Indigenous peoples are often not provided with the full picture.
(with all of the ambiguities) of the legal framework. Information is not shared at the very outset, often causing complications and conflict. Therefore, a basic starting point is information sharing.

This Group was also asked to discuss the topic of development, a very broad topic on which they came to agreement on some of the key questions and challenges. First, group participants felt that there are different perspectives and definitions of development and quality of life, and these differences have particular implications for the relationship between mining and Indigenous peoples. There is, therefore, a need to sensitize actors to what “culturally appropriate” development is in a specific local context. This requires building understanding between Indigenous peoples and companies specific to project impact. It also requires consultation as an ongoing process of interaction throughout the project lifecycle. To accomplish this, Indigenous communities and companies will need partners working on the ground to assist them in project design (NGOs, aid agencies, donors, etc), and these partners will need to understand and respect Indigenous perspectives of development. Group participants, therefore, felt that sustainable development within these contexts requires an understanding of the interaction at the local level between the economic, cultural, environmental and spiritual components.

When the discussion on development was opened for comment, many participants raised concerns about existing discussions and definitions of “sustainable development.” Some felt that there have been overstatements by industry of whether mining itself can be viewed as sustainable, and that the definitions and discussions often have not taken into account Indigenous perspectives of sustainability. Others responded that mining and resource extraction are not in themselves sustainable, but can be a key contributor to sustainable development, for example in relation to longer-term community development opportunities. Some participants stated that this topic may be an area where participants agree to disagree and move on with finding other areas for common work.

4.3 FPIC and Land Rights

In discussing FPIC, Group 3 felt that the key issue was not in whether FPIC should be an operational principle for the mining industry, but rather how to operationalise it. More broadly, participants of the Roundtable generally agreed that community support is a necessity for any project to go ahead and this is a recognised reality. Thus there is a need to move beyond discussing FPIC in a semantic or ideological way and to move on to the much more important issue of how consent/support is achieved and how do companies know and can prove that it has been achieved.

Existing barriers identified by the group include:

- Determining who has authority within a given community
- Developing the capacity needs on all sides
- Determining who has what rights within a community
- Confusion over rights (which is related to authority).

In defining this further, FPIC was described as a process that needs to be:

- Fluid and iterative (a series of consents which match the stages of development throughout the project lifecycle)
- Informed throughout.

The group described FPIC within a spectrum of actions:

Nothing \( \rightarrow \) Notification \( \rightarrow \) Consultation \( \rightarrow \) Negotiation \( \rightarrow \) Consent

Most companies were viewed as operating historically in the first three stages, with recent movement toward negotiation and consent. Placement within this spectrum may also vary depending on the stage of project development (e.g., focusing on notification at the beginning of the exploration phase and consent prior to the start of the operational phase).

The group suggested that consent may also be viewed as a permitting process. Recognising Indigenous peoples right to give consent makes them responsible for an approval process, and there are models which require examination in this light, for example a multi-level process that includes the central government, local government and Indigenous peoples, or that of a single agency, and many in between.
The group emphasized that, if FPIC is viewed as a permitting process, then it will require efficiency and a commitment from all parties involved to fulfil their roles and responsibilities.

The group discussed examples of where FPIC has been operationalised (e.g., Canada, Philippines, and Australia’s Northern Territory). The keys to success of these processes appear to be government involvement and having FPIC enshrined in law. However, participants familiar with these contexts say problems still exist, including a lack of capacity, the time- and resource-intensive nature of the process, and a lack of functional dispute resolution mechanisms.

The group suggested that the fundamental driver of FPIC is unresolved or continuing non-recognition of Indigenous peoples’ rights by national governments, in particular the provision of land title. Companies look for the security of title. The government has the primary responsibility to recognise and implement the rights of Indigenous peoples (e.g., cultural heritage, way of life, choice, land resources, benefits) and therefore industry should advocate that governments resolve questions of Indigenous rights. There is some tension and conflict within this, because the government has the responsibility to represent all citizens. There is also the concern that local government needs capacity (human, funds, expertise), and the development of this capacity is also the responsibility of the central government.

Many questions and differing perspectives arose when the discussion was opened up for feedback from the larger group.

Several participants emphasized that FPIC should be seen as a process to ensure that Indigenous peoples’ perspectives and concerns are effectively brought into project decision-making. This includes the need to adjust timelines and to understand the need for input and consent throughout the project lifecycle. It was therefore described as a series of negotiating and agreement steps. Some participants stated that FPIC should not be defined as a power of veto, while others emphasized that it includes the right to say “no.” A few suggested that it could be seen as a means of providing a “yes” if certain conditions are met.

Some participants mentioned industry concerns that FPIC may become a parallel or separate process alongside the existing permitting processes, and that clarification on what is needed at each stage of project development would be helpful. One suggestion was that FPIC and government-led permitting processes should not be separate processes, but rather mutually reinforcing with FPIC assisting in the formal permitting process.

Participants brought up further challenges to operationalising FPIC:

- How does company-community engagement work in cases where companies have made commitments to FPIC and governments have not (seeking a “social license to operate” in the absence of government recognition of the need to do so)? This may be described as a situation of “national law plus,” guided by international standards or examples of best practice.
- How does a company resolve a conflict where Indigenous rights are recognized but government subsurface rights prevail within the legal framework, causing conflict?
- Who determines if consent has been given/achieved? Is this the role of government, companies, or communities? Participants brought up the new IFC performance standards, which require IFC staff to determine whether a company has achieved “broad community support.” Participants suggested that there must be demonstrated consensus between the affected communities and the company that consent has been given.

Because of these and other issues, a number of participants felt it would be useful to have standards codified and used by industry. This may also require building the capacity to evaluate and monitor the consent processes with accountability and transparency. However, the group felt that in order to evaluate and monitor these processes effectively, new evaluation methodologies and indicators will be needed. Existing indicators tend to focus on individuals and individual needs; consent processes are about collective needs and relationships.
Some concerns were expressed regarding the discussion of how FPIC relates to Indigenous peoples’ rights. Some described land rights as not being only about Western concepts of property, but also about power over the use of the land, and that title (formal documentation on paper) is not necessary to be able to come to the table. FPIC was described as being based on a traditional relationship to the land. Some participants viewed the key problem as a lack of political will on the part of governments to observe FPIC as it is enshrined in international law, because of a presumption that to do so may decrease private sector investment.

Some participants also reminded the group that the subject of FPIC is being discussed in other fora, including the UN Permanent Forum on Indigenous Issues. The Permanent Forum convened a workshop on FPIC in January 2005.5

The discussion concluded with the contexts in which FPIC comes into play. Participants raised the question of whether Indigenous peoples are aware of the development processes in which they are becoming involved and the likely consequences of those processes. FPIC attempts to address the issue of coercion in project development. However, these projects are being developed in territories where community desperation may be so high that they consent to a project when they perhaps would not under other circumstances.

5. General Feedback and Potential for Future Activity

On the second day of the Roundtable, participants were asked to give their impressions of the discussions so far and their thoughts on future activity. Some participants mentioned approaching this event with scepticism, either based on views of different parties around the table or on past experiences with workshops on these subjects. However, the participants unanimously stated that the Roundtable was useful and expressed interest that discussions continue. Many also highlighted the importance of the acceptance of the right of Indigenous Peoples to free prior and informed consent as a floor and as a necessary part of the basis for future discussions. They also noted that the discussions on this issue were a good beginning of a process to advocate its implementation and operationalisation. Many agreed that it is now critical to find a space and vehicle to continue the effort.

Many questions remained, though, on the best way to carry the discussions forward. In terms of convening, some felt that discussions should continue within the IUCN-ICMM Dialogue. Others felt additional convenors should be approached to help bring other actors to the table, with the Global Compact and UN Permanent Forum mentioned as possibilities. Regarding participation, the suggestions ranged from maintaining the current group, to strategically adding industry and Indigenous participants (from other countries and mining experiences), to expanding participation broadly. Potential additions include:

- State governments
- Aboriginal governments
- Investment departments of IFC
- Other investors
- Other companies (non-ICMM members and juniors in particular)
- Indigenous peoples from regions or groups not represented at the Roundtable.

However, participants advised that consideration of expanding participation be balanced with the ability to keep the discussions focused and outcomes practical. The critical issues of program financing and specific roles of the Advisory and Organizing Groups were also highlighted for future consideration.

One participant felt that future meetings should include discussions about “dangerous” NGO activities, where questions arise over representivity of Indigenous interests. There was some consideration of whether this was a tangential issue and whether this might be best served by a balanced representation and participation of different NGOs. Some also felt that this type of meeting was not the appropriate forum

for such a discussion and that if accusations are to be levelled against an NGO or mining company, either entity should have the right to be present and dialogue on the subject.

Other questions arose over how to translate outcomes into practice at the mine site level and how to connect this with other similar initiatives i.e., while there needs to be discussion at the global level, there is a real challenge in ensuring this is translated into progress on the ground. It was emphasized that objectives therefore need to be clearly articulated and the agenda focused on practical outcomes in order to communicate effectively with other parties.

Other suggested actions included:

- Development of national and regional discussions (possibly feeding into a global discussion)
- Approaching the Permanent Forum for a joint presentation at its 2006 meeting
- Collaboration to develop more community practitioners within industry
- Developing practical tools for juniors
- Specific recommendations to IUCN on these issues, to inform activities beyond the mining sector
- Documenting and sharing experiences (good and bad practice, successes and failures). A Canadian Business for Social Responsibility conference held in February 2005, which featured facilitated panel discussions that included both industry and Indigenous perspectives, was suggested as a possible format. Existing resources mentioned by participants were the Agreements, Treaties and Negotiated Settlements project (www.atns.net.au) and the Good Practice Website for Sustainable Development in the Mining and Metals Sector (www.goodpracticemining.com)
- Developing specific outreach and communication channels between participants, other organizations, and similar initiatives that would be interested in the discussions
- Advocacy to ICMM members to support international standards, such as ILO 169
- Distribution of the draft ICMM position statement on Indigenous peoples to participants for feedback
- Joint development of industry standards
- Practical workshop on FPIC

Because of questions regarding institutional commitments and requests, the Advisory Group that was formed for this Roundtable agreed to remain in place to consider future steps and how to move the process forward. Their recommendations will be communicated back to participants.

IUCN staff mentioned that the work programme related to private sector interaction is currently being revised. FPIC has been included as a key topic in several areas, including the Dialogue with ICMM, work with Shell, the IFC, and the finance sector. More specifically, while the Dialogue work program and budget for 2006 does not currently include further activity on this topic, there is room to explore ways to continue the work.
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