

# AMNESTY INTERNATIONAL INDIA

## PRESS RELEASE

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### **India: Local authorities excluding indigenous people from decision on Vedanta mine plans.**

Authorities in the Indian state of Odisha (previously Orissa) are excluding Adivasi (indigenous) communities from the process to decide the future of a proposed mining project that could have disastrous effects on their livelihood and traditional lands, Amnesty International said.

The controversial mining plans – a joint venture between Sterlite India, a subsidiary of the UK-based mining giant Vedanta Resources, and the Odisha Mining Corporation – would affect the traditional lands of Adivasi communities in the Niyamgiri hills region, which they depend on for food, water and their way of life.

A decision-making process on the project facilitated by the Odisha authorities, which starts next week, would exclude many villages, with only 12 of the 100-odd villages in the region included – an approach that fails to comply with a landmark Supreme Court ruling on the issue, and a subsequent communiqué from India's central Ministry of Tribal Affairs.

“It is shameful that the Odisha authorities are essentially trying to exclude many of those who would be most affected by the proposed mining project,” said Ramesh Gopalakrishnan of Amnesty International, who has investigated the human rights impacts of mining in the Niyamgiri hills.

“The Odisha authorities' current decision to arbitrarily restrict the number of meetings to just 12 villages deprives communities in many other villages of their rights.”

In a positive move, however, several Dongria Kondh and other Adivasi village chiefs have now decided that, while they intend to participate in the 12 meetings facilitated by the Odisha authorities, they will also go ahead with similar meetings in the rest of the 100-odd villages in Niyamgiri during the same period.

“The local Adivasi leaders' decision to go ahead with meetings involving all the villages affected is fully in line with the Supreme Court ruling. This process, initiated by the communities themselves, and its outcomes should be respected by the Odisha

authorities as well as the central Ministry of Environment and Forests,” said Gopalakrishnan.

“There is still time for the Odisha authorities to change their decision so that everyone in the Niyamgiri hills can exercise their rights. This will also comply with the principle of free, prior and informed consent (FPIC) recognized by the United Nations Declaration on the Rights of Indigenous Peoples, 2007.”

The proposed 670-hectare bauxite mine has proved controversial. Local Adivasi communities have protested for more than a decade that mining on their traditional lands would result in violations of their rights as Indigenous peoples, as well as their rights to water, food, health, and work, amongst others.

On 18 April 2013 India’s Supreme Court vindicated their campaign, ruling that village assemblies of villages located near the proposed mine would need to decide if the mine plans affected their religious and cultural rights, including their right to worship.

But the Odisha authorities have insisted on only carrying out 12 village assembly meetings, despite the Ministry of Tribal Affairs stating this is not in accordance with the Court ruling, or with directions issued by the Ministry under Section 12 of the Forest Rights Act. The meetings will start on 18 July and continue until 19 August.

Dongria Kondh leaders also informed Amnesty International that the central paramilitary forces stationed in the Niyamgiri hills and some officials of the Rayagada and Kalahandi districts continued to intimidate Adivasis, urging them to stop opposing the bauxite mine plans.

“Reports of such intimidation are alarming. All such intimidation by the paramilitary forces and the local administration must stop. The Indian government and state authorities should ensure that meetings are held in all villages and that these meetings are conducted in a free and genuinely fair manner,” Gopalakrishnan said.

“The meetings should be observed by national and international human rights organisations, if the communities want this, as well as being in the presence of two judicial officers as stipulated by the Supreme Court ruling.”

The Court ruling directs that the proceedings take place independently and completely uninfluenced either by the companies concerned or the Odisha or central government officials; it also requires the village assemblies to share their decision with the central Ministry of Environment and Forests within three months of the date of the ruling.

**ENDS**

