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India: Defeat for Vedanta as indigenous community rejects mine plans

The overwhelming rejection, by India's Dongria Kondh Adivasi (indigenous) communities, of a proposal to mine their sacred lands is an unprecedented victory for indigenous rights in the face of business interests, Amnesty International said today.

A seventh Adivasi village, Phuldumer in Kalahandi district of Odisha state, today voted against plans by Sterlite India, a subsidiary UK-based Vedanta Resources Ltd., and the state-owned Odisha Mining Corporation, for a bauxite mine in the Niyamgiri Hills.

The decision means that a majority of the 12 villages that are being officially consulted by the Odisha authorities have rejected the proposal. The news comes in the same week as Vedanta Resources' Annual General Meeting (AGM) that will be held on 1 August in London.

"Today's vote surely means the end of Vedanta's plans to mine the Niyamgiri Hills – a project that would violate the community's economic, social and cultural rights and almost certainly their rights as Indigenous peoples. After struggling for a decade against the threat to their way of life, the Dongria Kondh have now finally been able to assert their right not to consent to the mine," said Ramesh Gopalakrishnan of Amnesty International who witnessed, as an observer, several of the village council meetings that rejected the mine plans over the past two weeks.

"Shareholders at Vedanta's AGM should now ask serious questions as to why the company continued to pursue the project despite evidence of the harm it would cause to indigenous people."

Under both Indian law and international human rights standards, indigenous people have special protections to ensure that their traditional lands and way of life are not destroyed. The principle of Free, Prior and Informed Consent has been established to guarantee that there is proper consultation with indigenous communities and that their rights are fully respected.

In a related development, India's Ministry of Tribal Affairs announced on 27 July that it

would assess claims made by more than 100 villages that have been excluded from the official consultation process. The decision by the Odisha authorities to restrict the number of villages to only 12 has been criticised by the Ministry and civil society, including Amnesty International. The Ministry's five-member team is scheduled to visit the Niyamgiri hills during 5-8 August.

"The Odisha government should ensure that all communities whose rights may be affected by the mine are able to have their say", said Gopalakrishnan.

This consultation process is the first of its kind in India, and is the result of a landmark ruling by India's Supreme Court in April 2013 that stated that village assembly meetings of villages in the affected area would need to decide if the mine plans, in any way, affected their religious and cultural rights.

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