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INDIA: VEDANTA'S HUMAN RIGHTS PROMISES: 'MEANINGLESS AND HOLLOW'

Amnesty International has accused the UK-registered mining company Vedanta of attempting to “gloss over” criticisms of its poor human rights record in the East Indian state of Orissa by publishing a “meaningless and hollow” report that puts forward the company’s own account of its operations there.

With the company staging its annual general meeting today (28 August) in London, Amnesty believes the “Vedanta’s Perspective” report is an attempt to calm investor fears over its controversial operations in India as it seeks to expand them.

Amnesty International has responded with its own briefing, *Vedanta’s Perspective Uncovered: Policies Cannot Mask Practices*, accusing the company of ignoring the reality of the mining giant’s impact on the human rights of local communities in Orissa.

For example, Amnesty International reports that Vedanta has not disclosed relevant information to local communities – such as the impact of pollution caused by the company’s activities, and has not held meaningful public consultations.

“Our new briefing exposes the glaring gap between the company’s assertions and the reality on the ground,” said Polly Truscott, Deputy Director of Amnesty International’s Asia-Pacific Programme.

“New evidence from the communities in Orissa shows that changes announced by Vedanta have had little positive impact on the livelihoods, rights, and other concerns of the communities on the ground.

“Vedanta’s human rights record falls far short of international standards for businesses. It refuses to consult properly with communities affected by its operations and ignores the rights of Indigenous peoples.

“Vedanta’s report claims to put new information on its activities in the public domain, but it glosses over most of our findings. It also fails to take into account investigations by Indian regulatory bodies, as well as authorities such as the National Human Rights Commission which has investigated Vedanta’s operations in Orissa.”

Amnesty International also finds it disturbing that those opposed to the company’s operations have faced fabricated charges, resulting in their imprisonment with the effect of preventing others from exercising their right to protest peacefully and freely express their views.

Amnesty International is also concerned about evidence, uncovered during an ongoing inquiry by India’s National Human Rights Commission, showing that police have sought to promote the interests of the company both in the framing of false charges and in the suppression of dissent.

Additionally, there have been at least two instances when the police, using a local Maoist presence as an apparent pretext, have harassed representatives of international media and human rights organisations and told them not to travel to Lanjigarh and the Niyamgiri Hills.

Amnesty International reviewed Vedanta's changes against four criteria based on the United Nations Framework and Guiding Principles for businesses – and found that they failed on all four.

“The most revealing and meaningful indicators of whether Vedanta is making progress in addressing human rights issues must be based on what is happening, or not happening, on the ground in Lanjigarh and Niyamgiri,” said Truscott.

“Our detailed analysis shows little has changed. Vedanta may be making the right noises and have made a few changes, but the reality is that its new approach remains both meaningless and hollow. The company needs to go much further in demonstrating to its critics that its new approach will make a difference . Vedanta needs a reality check on human rights – and pressure from investors could help deliver this.”

On reports that Vedanta may have to temporarily shut down its Lanjigarh refinery for want of adequate bauxite supply from other sources, Truscott said: “This may be a short-term problem. What's really at stake here is Vedanta's human rights record.”

Background information:

For the past five years, the FTSE 100-listed mining company Vedanta Resources plc has been seeking to expand its existing alumina refinery in Lanjigarh and gain permission for a joint venture to mine bauxite in the nearby Niyamgiri Hills inhabited by the Indigenous Dongria Kondh community.

Amnesty International's research has shown that the Lanjigarh refinery has caused serious pollution and current systems are insufficient to avoid a recurrence. It has undermined the human rights of local Majhi Kondh Adivasi and Dalit communities, including their right to the highest attainable standard of health, a healthy environment, adequate standard of living, water, decent work and food.

Vedanta has been repeatedly exposed for failing to inform the local communities of the potential risks of its operation and ignoring community concerns, in breach of state and national regulatory frameworks. They have also failed to adhere to accepted international standards and principles on the human rights impact of business operations.

Amnesty International's criticism has led Vedanta to change its approach to managing the risks and reputational consequences of its operations – all of which were outlined in Vedanta's Perspective. It has appointed a Chief Sustainability Officer, commissioned reviews, established a sustainability framework, adapted its governance structures and developed an explicit human rights commitment as part of its Code of Business Conduct.

Amnesty International's analysis of the real effect of the changes is framed around the United Nations Framework and Guiding Principles for businesses adopted by the UN Human Rights Council.

From the Principles, Amnesty International developed four criteria on which it judged Vedanta's proposals.

- They must be based on an adequate understanding of what is required to meet international human rights standards
- They should address the need to remediate existing abuses
- They should not be traded off against other policies
- There should be proper accountability for their implementation