

Statement of the Indigenous Peoples Major Group on Mining

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Thank you, Mr Chair. I have the honor to speak on behalf of the Indigenous Peoples, and the other Major Groups on this thematic issue on mining.

We are here to reaffirm our concerns related to mining, which is very much associated as well to toxic chemicals and waste management discussed in the previous sessions. Thank you also for the panel presentations on ASM with clear recommendations for ways forward and policy options for the sector.

We agree that mining or mineral wealth is an essential element for both local and national economic development. However, we also reiterate that from direct historical and present-day experiences of indigenous peoples and local communities all over the world, mining can not be sustainable while it continues to entail a destructive process, wherein governments need to be serious in providing and enforcing stronger environmental regulations and effective social safeguards in the different areas of the mining process and level of operations.

Adding to what was presented by the panelists focusing on ASM, we will also affirm that before we can come up with policies and strategies for action, we should be very specific and be more differentiating in our reports and assessments on mining. Are we speaking of artisanal/small-scale mining or large scale mining with open pit mining or underground mining, mining for iron or gold or diamonds or uranium? Are we speaking of the environmental and health safeguards; are we really responding to poverty alleviation and providing livelihoods; or do we need to develop other alternative livelihoods? Are we considering the heavy price of environmental degradation, destruction of ecosystems, contamination from toxic wastes and chemicals from mining operations that goes down to our waters and lands? Are we concerned of the social costs entailed in relation to violations of basic human rights, creation of social conflicts and health problems of local communities, as well as, destruction of biodiversity, marine and animal life due to mining? Are we talking about the safety of mine workers, including women and child labour in mining? These are just some of the specific concerns that we should all consider in coming up with our priorities for action.

From the earlier presentations and statements, we all agree on the grave concern on disturbing environmental and social impacts due to mining, whether in small-scale or large-scale mining. On the other hand, we are fully aware that the UN General Assembly had already adopted multilateral agreements, international minimum standards and obligations related to environment, human rights, and sustainable development which Member-states have committed to implement.

Cognizant to all these, we call on governments to agree and implement a coherent framework on mining based on the principles of improved governance, transparency, and accountability. Specifically we recommend the following concrete actions on past, ongoing and future mining operations:

1. Since voluntary guidelines by mining companies have never been sufficient, governments should provide stricter and enforceable frameworks of law and regulations on mining, that include:
 - > a compliance mechanism that requires mining companies to take full responsibility for environmental and social safeguards during and after mining operations;

> rehabilitation, clean-up of mining wastes left in the mining sites, and provision of alternative livelihoods for the affected local populations; and the
> respect and protection of Indigenous Peoples rights to their lands, territories and traditions to sustain the forests and environments from the impacts of mining; including their free, prior and informed consent and their full and effective participation in all levels of decisions affecting them.

2. Governments, the UN system and international community, working in cooperation with mining-affected communities, should establish credible and independent information and monitoring mechanisms. There should be assistance for capacity building for local communities in making better informed decisions and for sustained monitoring of impacts.

3. Governments should establish robust mechanisms to strengthen governance, accountability and corporate social responsibility in extractive industries' operations; and to make open all the information relating to the mining sector to all affected local communities.

4. Governments should provide more effective means in their domestic laws for protection, remedy and redress for communities who have suffered through the actions of mining corporations. This should include countries whose corporations and investment institutions profit from activities outside their territories. Domestic laws should also cover formalization of ASM, improvement of safety and working conditions in mining operations, especially of women and children in mining.

5. Develop and promote international and national enforceable regulations to outlaw destructive mining practices, including open pit mining, river and marine waste disposal and strip mining resulting in forest destruction, damage to marine ecology, as well as, animal and plant life.

6. We call for an end to uranium mining because nuclear power generation and its mining process are unsafe and unsustainable, with catastrophic impacts upon the health and environment of local communities, women and children affected by such operations. States should require strict monitoring, clean-up of the aftermath, and compensation for all victims of uranium mining.

7. Call for the establishment of an adequate financial bond from corporations to be used during mine accidents and rehabilitation during closures; and provide dedicated fund and mechanisms for victims of destructive mining activities and continued development of mines-affected communities.

8. Call for the harmonization and for the repeal of mining legislation that do not adhere to international human rights standards to reduce conflicts and inter-sectoral competition.

9. Strengthen regulations for delineation of zones that should be barred from mining and extractive industries, such as sacred sites of indigenous peoples, water sources, and all ecosystems that provide livelihoods to local communities.

Thank you, Mr. Chair.