

# Indigenous Peoples Advisory Forum (IPAF) Meeting

Jharkhand, India 25 February – 6 March 2019



# **Table of Contents**

1.	Introduction	3	
2.	Meeting Objectives	4	
3.	Context – Indigenous peoples in India	5	
4.	Summary	7	
5.	Outcomes	19	
Ann	nex 1: Agenda as Printed	20	
Ann	nex 2: Participants List	24	
Ann	Annex 3: Reference Documents		

# 1. Introduction

In 2015, an Indigenous Peoples Expert Workshop was convened in Chang Mai, Thailand and recommended that the Aluminium Stewardship Initiative (ASI) develop structures for full and effective participation of Indigenous peoples in both the ongoing governance of the ASI Performance Standard and the ASI Complaints Mechanism. It was also suggested that there should be separate avenues for ASI to engage with Indigenous peoples' organisations and communities, which is separate to the engagement of civil society organisations.

A group of Indigenous organisations met in Kuantan in Malaysia in 2016, and a Terms of Reference (ToR) for the proposed independent advisory body was prepared. The ASI Board approved the Terms of Reference within the ASI Governance Handbook, a by-law to the ASI Constitution, in late 2016, thus including the Indigenous Peoples Advisory Forum (IPAF) in the governance of ASI. The first IPAF meeting under the agreed Terms of Reference was held in Nhulunbuy (Gove), Australia in 2017, and in Paramaribo and Wane creek area in Suriname in 2018. At the Suriname meeting the ToR were reviewed and amended by IPAF.

This year the IPAF meeting was held in Ranchi, in the state of Jharkhand, India between 25 February – 6 March. The meeting program included three days of IPAF meetings, including a one day site visit to the bauxite mining area near Lohardaga; three days of local ASI training, attended by 32 people from three different states (Odisha, Jharkhand, Chhattisgarh); and concluded with a community visit in neighbouring state Odisha.

More than 30 participants from India, Australia, Canada, Ghana, Guinea, India, the Netherlands, Suriname, Switzerland, United Kingdom and the United States attended the IPAF meeting to share experiences and increase awareness of ASI's work in the aluminium value chain. This year's program featured strong participation from local Indigenous communities, Adivasi, and non-government organisations in India who welcomed the international IPAF attendees and generously shared their culture and experiences.

The meetings were held in English, Hindi and French. Oriya, Sadri, Khadia, Oraon (Kurukh), Munda, Santhal and Dutch were also spoken.

# 2. Meeting Objectives

The objectives of the 2019 IPAF annual meeting were identified as follows:

- To convene IPAF participants with Indigenous peoples in Jharkhand, India to share experiences and perspectives including
  - What are Indigenous people in India experiencing with regards to bauxite mining?
  - What do Indigenous people experience in other countries and how they are addressing them?
  - What are the common issues?
  - What interventions might be useful?
- To increase awareness of sustainability issues and practices associated with bauxite mining and alumina refining amongst IPAF participants
- To continue to provide IPAF input into the development of ASI's certification program for the aluminium value chain
- To discuss and provide input to:
  - The ASI Monitoring and Evaluation Plan, in the area of evaluating outcomes and impacts of ASI Standards for Indigenous peoples
  - The ASI Governance Review, with regards to the IPAF terms of reference in the ASI Governance Handbook and Constitution
- To share information about ASI and international standards, and training on Indigenous rights with local stakeholders, including communities and companies in India, including
  - From ASI and IPAF participants: Tailored information and training modules for the respective stakeholder group
  - From training participants: What are the priority areas to focus future training and build capacity?
- To identify opportunities to create positive impact for affected communities through IPAF and ASI
  - The next steps after the IPAF meeting
  - o Additional outreach opportunities during 2019
  - Agreement on 2020 meeting location and approximate timing

Due to some session running over time it was not possible to address all the above objectives, such as the ASI Monitoring & Evaluation Plan and agreement on the 2020 meeting location and timing. However follow-up IPAF teleconferences facilitated by Mark Annandale scheduled to commence March and April to further discuss these topics.

# 3. Context – Indigenous peoples in India

Indigenous peoples in India are called by different names such as 'tribes', 'aboriginal', tribals and 'native', however the most fitting term is 'Adivasis', meaning 'Adi + Vasi': the original settlers of the country. They are 'the autochthonous people of the land who are believed to be the earliest settles in the Indian Peninsula', prior to the caste system<sup>1</sup>. According to 2011 census, there are over 104 million Adivasi living in India, almost 9% of the country's then 1.2 billion population. Of that group, around 90% live in rural areas and the rest in urban areas<sup>2</sup>. In Jharkhand, where the IPAF meeting was held, Adivasi make up of around 26.2% of the total population of the State. In Odisha, where the IPAF meeting travelled to visit a local Indigenous community, this is around 22.8%<sup>3</sup>.



Map of India, States and Union Territories

Adivasi tribes are historically a community of clan, band, nation, group or communities of peoples associated with land and territory with their own personal identity, language, religion, festivals, cuisine, dance, song and music. Protection of cultural distinctiveness of the Adivasi is provided in the Fifth and Sixth Schedule of the constitution of India.

However Adivasi are among the poorest, most neglected and marginalised people of India's communities today<sup>4</sup>. Some of the issues that Adivasi face include lack of access to education and health care facilities, displacement and dispossession of land, discrimination and exclusion from political and economic power and human trafficking. Legal protections are under threat. For example, in February 2019, just prior to the IPAF meeting, a the Supreme Court ruling would mean that up to 19 million Adivasi families are in danger of being evicted from forests that their ancestors have been living for millennia. A number of Indian wildlife and conservation organisations have accused the Adivasi of destroying the forests' biodiversity and have petitioned the court to clear them from the land. Yet the 2006 Forest Rights Act gave Adivasi rights to live on and protect the land that they had been cultivating within forest boundaries<sup>5</sup>.

The administration of Adivasi tribes follow a different set of traditions and rules from national and state governments, and their historical exclusion from the national governance system and lack of knowledge

<sup>&</sup>lt;sup>1</sup> Indigenous Peoples of India At A Glance, CBCI Office for Tribal Affairs.

<sup>&</sup>lt;sup>2</sup> https://www.theguardian.com/commentisfree/2019/feb/25/land-grab-tribal-people-india-adivasi

<sup>&</sup>lt;sup>3</sup> Indigenous Peoples of India At A Glance, CBCI Office for Tribal Affairs.

<sup>&</sup>lt;sup>4</sup> Ibid.

<sup>&</sup>lt;sup>5</sup> https://www.theguardian.com/commentisfree/2019/feb/25/land-grab-tribal-people-india-adivasi

thereof contributes to many of the challenges they face. Adivasi tribes and villages are typically run by village or clan heads and councils by names such as Padha/Parha, Baithki/Uthki, Maha Sabha, Adivasi Darbar etc. The Adivasi villages and clans are governed by these council members as well as the village heads or clan chief. In the event of a conflict, Adivasi prefer not to seek a redressal from elected representatives or government offices, but rather settle issues by the community. This traditional governance and conflict resolution system emphasises the importance of consensus and democracy.

## 4. Summary

A brief summary of the discussions and activities of each day is described below.

### Tuesday 26 February – IPAF Meeting Day 1

Formal welcome to all participants to India and Jharkhand on behalf of IPAF. Fiona Solomon, CEO of the Aluminium Stewardship Initiative and Daniel Weston, ASI Board Chair, thanked the hosts and for everyone for making the journey to be here.



Opening of the IPAF 2019 meeting

An overview of the history and rights of Adivasi in India, the extractives industry in India, human rights, the concept of land and the legal issues regarding land acquisition, the challenges of making land claims without written historical documentation, development induced displacement, the 2006 Forest Right Act and recent Supreme Court order (see previous section), was given. Adivasi want to be partners in development, in ways that suit them, and have their rights respected.

Padha Raja Padmashree Simon Oraon (Traditional Oraon King the highest civil awardee by Union government) was elected head of the Bedo area in 1951 and consists of 52 villages. He is also the head of the local 'Padha': these are clusters of villages who have their own governance and justice system. He explained his mantra, the "principles of life', see, learn, do and teach others to do". Chief Simon stated that their forest has been destroyed by the state and to protect their land they have set up the Padha. The Padha often comes together to discuss and settle the different issues and challenges they are facing. Women and children are involved in the decision-making process on issues that affect the whole community. Once a year the Padha gets together to celebrate their culture and land. Chief Padha Raja has worked hard throughout his life to mobilise the community and teaches others on the lessons that he has learned.



Chief Padha Rajapresenting during the opening day of IPAF

**George Walley**, owner of Mandjoogoordap Dreaming, is from the South West of Australia Noongar people have lived in this part of Australia for 50.000 years, but were invaded colonised by the British in 1829. The impact of reaches into today through policies of dispossession, oppression, societal racism, intergenerational trauma and stolen generations.

Through improved governance there are more opportunities for Aboriginal people in Australia today. Many industries have an Aboriginal Employment initiative and a Reconciliation Action Plan. Western Australia government's Minister for Finance, who is also an Aboriginal person, has put into place an "Aboriginal Procurement Policy", an initiative with many Aboriginal leaders input. Aboriginal businesses can now benefit from this initiative when looking at tendering for government based projects in all areas of development.

Through good education George became a primary school teacher, lecturer, manager of a health centre, and he started a tourism business based on his heritage and educational strengths. The knowledge and experiences he has gained from being a part of the IPAF, and attending ASI events, he can better engage with bauxite mining companies and look for similar partnerships as the Gumatj Mine in Nhulunbuy, in the Northern Territories.

**Abu Karimu**, representative of communities affected by bauxite mining in Ghana, described the laws and institutions relating to minerals extraction in Ghana. The governments are responsible for approval of mining developments. He explained that these are very important to ensure that communities also see the benefits of mining. However recent reforms include community shares in developments, to date community benefits from bauxite mining are limited to menial jobs as most processing is done offshore.

Bauxite was discovered in 1914 in Ghana, with mining starting in the 1940s. At that time, companies did not take local people's needs into account. In the last 26 years, Ghana has embraced multi-party democracy, which has strengthened government capacity. 'Local content' rules mean 20-30% local ownership, but this is not at the village level. Some CSO's and advocates would like to see the government further review laws so that affected people also have ownership of the resource, e.g. 5%.

Ghana's environmental regulations are not bad, but they are not perfect, and there needs to be a focus on building capacity within government institutions in support of informed decision making. There can

be an asymmetry of power between big international mining companies and the government, where government may be intimidated to confront them over pollution issues.

When Obama visited Ghana, he said that Africa needs strong institutions, not strong men.

Ghana has illegal mining issues, with some miners coming from as far as China. These issues are compounded by illegal logging, overfishing and other unsustainable natural resource extractions. There are also international development plans with China to provide a \$2 billion US loan, create new infrastructure in exchange for bauxite mining rights for 50 years. The challenge ahead is to engage with local authorities, build local capacity and take a long-term view for future generations.

**Mark Annandale** noted that while laws are strong in Australia, legacy sites (mines that opened many years or decades ago) are a big issue. They were not usually not done with FPIC (Free, Prior and Informed Consent) principles. However compared to other countries, there is very little illegal mining. And today, it takes a lot of time and effort to develop a new large mine. Communities have access to more information and are increasingly aware of a mining company's practices in other parts of the world.

**Aboubacar Diallo** and **Mamadou Houdy Bah** shared their experiences with bauxite mining companies in Guinea. Guinea is the world's third largest producer of bauxite and has 1/3 of the world's bauxite reserves. Unfortunately this level of mineral exploitation has very little positive impact for communities. Many of the world's large bauxite companies are operating in Guinea. For communities it is important to have access to social justice and information, existing laws, regulations and codes are not being respected and local communities are facing challenges with regards to compensation and resettlement. In one case (gold mining), private security forces were used to relocate communities and did not respect national laws or the IFC Performance Standard 5 regarding Land Acquisition and Involuntary Re-Settlement. Communities were not engaged during the consultation phase, and some projects are commencing before proper consultation has happened. A complaint has been lodged in the IFC Complaints Mechanism, and has been accepted.

Even though ASI's certification system is voluntary, it can be used to both raise awareness of good practice and as a catalyst for change. The various members of ASI can have an influence, and companies commit to have a positive impact. There are also minority shareholders on company boards of joint ventures that should be advocating more strongly for good practices.

There are similar issues happening in the Sangaredi area, and a complaint has also been lodged with IFC in this case. Mamadou's community has been receiving support from Aboubacar's NGO. Issues began at the consultation level, when communities weren't engaged. The social impact assessment undertaken by a consultation shared results that weren't really understood by communities. In the resettlement process, housing standards were not what were expected and livelihoods not properly considered or compensated.

Louis Biswane from KLIM and Marie-Josee Artist from VIDS in Suriname confirmed there are common issues regarding bauxite mining and consultation of Indigenous people and Local Communities. In Suriname bauxite mining has been going on for many years and there are large areas in the north east of Suriname mined for bauxite and just left. They are talking to the mining company now to try and resolve. There was some work in eastern Suriname several years ago with BHP and others looking at more bauxite mine development, this did not go ahead. In Suriname there has been some progress

through development of engagement protocols used by Conservation International and the REDDS+ program. The gold miner Newmont is doing some ongoing consultation. In addition, the World bank has done a study to identify natural resources in Suriname but didn't look for consent with Indigenous peoples. Funding agencies need to apply FPIC principles and apply their own standards.

There need to be watchdogs and advocacy for people's rights at international, national and local level. The communities do not have the same capacity as governments or companies, there needs to be some equity and resources to help interpret the large amounts of often complex information.

**Taylor Kennedy** from RESOLVE gave a presentation on the work they are doing under the FPIC Solutions Dialogue. The FPIC Solutions Dialogue is a multi-sector initiative to develop practical guidance to support FPIC community processes relating to mining, oil and gas projects. FPIC is not a one of process, it can occur throughout a project, including legacy projects for example that may want to further expand a project. The objective is to contribute to the advancement of best practice and guidance for the sector by sharing case studies and lessons within/across extractive companies, building understanding with civil society and communities and learning from their implementation experiences and innovations, testing new approaches with pilots and exploring key issues through focused workshops and research.

Experiences from IPAF members on FPIC were shared and discussed during this session which will be used for the further development of the FPIC Toolkit. Examples included:

- The importance of clarifying in advance what is meant by consent and what are the protocols for reaching agreement (for example, what happens when there is not 100% in support).
- Ensuring consent is not merely consultation (as is still written in World Bank standards).
- It was noted that in India, laws set out what is considered consent eg 80% or 70% support. However if the information is misleading this can betray communities. Sometimes laws can look like FPIC processes, but in practice are more like consultation.
- The role of community led impact assessments, and the role of courts. However both can take resources. At the village level, there may not be the necessary expertise to even do an FPIC process, and they need technical support (eg legal, engineering). An example in Australia was noted where the company did provide resources for Indigenous communities to hire their own experts to review proposals and write reports to the community level of education. These kinds of processes can run over several years when properly robust and consultative.
- How to deal with legacy projects that did not implement FPIC principles, and how to start making this right going forward.
- How do you "un-FPIC", for example not release land back to the government post-mining, but give back to communities in recognition of land rights. There are no examples, but the FPIC Solutions Dialogue are starting to think about this.
- What role ASI can play in advocating FPIC into government policies. It was noted that the RESOLVE dialogue has concluded that it can be very difficult for companies to work with governments on these issues where rights are not supported, and it can be very sensitive. Government capacity building may be needed, and with regards to mine closure, encouraging governments to think about rehabilitation creating livelihoods post-mining.
- Since ASI's Performance Standard requires FPIC, then to be ASI Certified companies must do this even if governments don't support the principle.
- Capacity building for Indigenous peoples is also very important. This can involve support and advocacy from many sides.

• It was agreed that RESOLVE would work with ASI to develop an FPIC training module that can be made publicly available.

### Wednesday 27 February – IPAF Meeting Day 2: Field Visit to Lohardaga

A visit was brought to Bagru Hill bauxite mines, owned and controlled by Hindalco Industries Limited, a subsidiary of Aditya Birla Group. The mines are located around 120 km from Ranchi and it took about 4 hours to get there by bus.

With a consolidated turnover of US\$18 billion, Hindalco is the world's largest aluminium rolling company and one of Asia's biggest producers of primary aluminium<sup>6</sup>. Hindalco's bauxite mines in Jharkhand, Chhattisgarh, Maharashtra and Odisha provide the raw material to their alumina refineries located at Muri in Jharkhand, Renukoot in Uttar Pradesh, and Belagavi in Karnataka, India<sup>7</sup>. The Bhagru Hill bauxite mines have been in operation since 1944.

The group was warmly welcomed by members of the community and company representatives. An overview presentation of Hindalco company was given, including an overview of Corporate Social Responsibility (CSR) commitments, the company Social Accountability Policy, environmental protections, a brief history of the mine (it has been operating since around the 1930's) in that is operates on several mining leases totalling around 160 hectares, and mining operations. The presentation was followed by a visit to the mine site including an inspection of mine pits, an overview of mining operations including mine rehabilitation, the bauxite crushing take place on site to enable easy transport of ore in the aerial ropeway/cable and bucket system for processing. An old bauxite mine pit and processing facility being developed as a recreational water park for local community and potential tourism uses was also visited. The group returned to Ranchi in the afternoon.

<sup>&</sup>lt;sup>6</sup> http://www.hindalco.com/about-us

<sup>&</sup>lt;sup>7</sup> http://www.hindalco.com/operations/resource-mining



Bauxite has been transported from the mine to the crushing area by aerial ropeway/cable car since 1944



Welcome dances to Hidalco mine site and office



Mine site



Recreational water park area under development

### Thursday 28 February – IPAF Meeting Day 3

The group reviewed the Bagru Mine visit and shared their thoughts and comments in the morning.

**Fiona Solomon** presented on the ASI Governance model under and confirmed how IPAF sits within ASI as an important and independent advisory body, the 2019 Governance Review and a brief update on recent Biodiversity Working Group discussions. Fiona first thanked the hosts and organisers and welcomed new participants to the IPAF. She emphasised that IPAF is an important part of ASI's governance model: it is framed in the Constitution that ASI must establish IPAF, and the Terms of Reference were developed by IPAF in 2016 and are now in the ASI Governance Handbook.

ASI is undertaking a review of its governance this year and the objective of this is to reflect on ASI's governance models since its incorporation in 2015 and to identify any desirable changes to the ASI governance structures and/or constituent documents (eg Constitution, Governance Handbook, etc). Therefore it is now a good time for open dialogue to reflect together on the role that IPAF wants to be, and the work that it wants to do.

During the governance review, IPAF members are invited to discuss updates to their Terms of Reference.

This could include:

- IPAF Network (unlimited) vs IPAF (15 'regionally self-selected')
- Management and reporting to IPAF Network
- More information on formats / locations of meeting
- Practical lessons/thoughts from the past few years

The Governance Review will open in April 2019, so there is further opportunity for IPAF members to provide input. A small working group could be formed to help facilitate this.

**Krista West**, ASI Director of Learning, gave an overview of ASI Assurance and Oversight mechanisms. All certification audit reports are reviewed for:

- Appropriateness of the Audit Scope
- Audit team
- Audit methodology
- Contributing factors for Certification Decision and follow-up audits
- Completeness

There was discussion on how auditors should conduct interviews with Indigenous peoples, with several IPAF members offering insights to provide to auditors. Every effort should be made to meet Indigenous peoples in person. When setting up an interview time, one should ask if there are any cultural considerations that the audit team should be aware of. The auditor should also take time to explain the context of the ASI audit when setting up the initial meeting time, what ASI is, what the potential outcomes of the audit are, the scope of topics that will be discussed, whether a translator is needed, and that neutrality is ensured. Sometimes auditors are perceived to be on the side of the company – and auditors should be aware of this and try to build trust.

It was noted that translations have positionality too. The more experience you have as an auditor, you can start to differentiate what is real from what is exaggerated – this would also apply to auditors. Cultural guidance could also have more focus. While auditors do not have time to be an anthropologist, often informal engagements can bring out more information. This could be through other activities (eg meeting over lunch) or focus groups that can beyond direct questioning. Women's and children's interest may not be the same as men's – but if they don't speak up in a group setting it may imply agreement. So separate meetings may be required.

More broadly, ASI is still a young organisation. Companies in ASI now are the early adopters – sustainable development is important to them. The next stage in ASI's development is where certification becomes important to aluminium customers. So companies may not be inherently motivated to work on these issues, but customers ask them to. As ASI develops, companies may realise it's commercially important. So audits may be more challenging – we should maintain a sceptical view so that audits continue to mean something.

The Indigenous Communities members discussion took place in the afternoon. This session focussed on preparation for IPAF meetings; how IPAF members cane share information back in their communities or regions; IPAF membership; how can IPAF deal with some real issues so people can take practical outcomes and tools back to their communities. At future IPAF meetings it would help to have some real examples of what is in the supply chain (e.g. bauxite, alumina, aluminium and some products) and how to create a larger IPAF network and how can ASI support this. The presentation on Key Principles regarding Indigenous peoples and Local Communities was also discussed. Other discussion points included: IPAF work program to include constructive activities for each year, formal translation support, the options for 2020 IPAF meeting (to be confirmed within one month of India meeting), and that locations for IPAF meetings should provide an opportunity to learn and provide time for Indigenous members to discuss and plan. There was some discussion about considering other minerals e.g. iron ore, but if so additional funding would be required.

This session was moved forward as some people had to leave early and otherwise could not attend this session. As the session went longer than scheduled, the presentation and discussion on Monitoring & Evaluation could not take place.

A dinner and cultural exchange was held in the evening at Ajam Emba, an eatery and training centre on Indigenous food in Ranchi. Its mission is to strengthen Indigenous identity and culture through food revival.

#### Friday 1 March – Tribal Villages Day Visit

On Friday the group visited Ulihatu village in the Khunti district. The Khunti district is one of the twentyfour districts in South Chhotanagpur division of the Indian State of Jharkhand. As of 2011, it is the second least populous district of Jharkhand (out of 24), after Lohardaga. Khunti town is the headquarters of the district.

A village of Khunti district, called Ulihatu, is the birth place of the "Dharti Aaba" of Jharkhand, Bhagwan Birsa Munda. Birsa Munda was an Indian tribal freedom fighter, religious leader, and folk hero who belonged to the Munda tribe. The IPAF group visited the house where he was born, and a memorial site.

### Saturday 2 March – Local Training Day 1

The first day of training started with an introduction of all participants. The focus of the 3 day training sessions was to share experiences from around the world – India, Guinea, Ghana, Suriname and Australia – on bauxite mining and the aluminium value chain, and how Indigenous peoples can work together to address some of the issues and challenges.

**Mark Annandale**, IPAF member and researcher at the University of the Sunshine Coast, presented in the afternoon on the work he has done to help forest-dependent people make better use of their forest resources to improve livelihoods and the environment. He presented case-studies from the Cape York Peninsula and North-East Arnhem Land in Australia, before and after mining.

Project achievements and learnings in the Cape York Peninsula include:

- Wik Timber finalised agreement with Rio Tinto on forest access WH&S and CH management
- Forest resource assessment & training commenced
- Harvesting commenced including sawlog, peeler logs and poles
- Wik Timber 5 ha log yard established with large sheds
- Wik Timber Mahoe sawmill purchased and shed constructed
- Wik Timber sales agreement for sawlog and timber.

Project achievements and learnings from Arnhem Land include:

- Salvage logging from mining leases increased production and improved quality control from sawmill
- 2018 commenced operations data collection to better understand costs
- Developing new markets for import replacement and regional export of timber products
- Gulkula Mining Company
- Mine rehabilitation plan supported by a specialist plant nursery.

#### Sunday 3 March – Local Training Day 2

The group reflected on the discussions from the previous day; all participants found the positive casestudies from Australia very inspiring.

In the morning, **Fiona Solomon** and **Krista West** gave an overview of the Aluminium Stewardship Initiative including its governance model, certification system, ASI Complaints Mechanism and how Indigenous peoples' rights are reflected in the Performance Standard. This includes:

- Respecting the rights and interests of Indigenous peoples
- Free, Prior and Informed Consent for new projects
- Cultural heritage sites
- Avoid resettlement
- Water management
- Biodiversity management
- Mine rehabilitation.

Discussions included how ASI's international standards can create change across the aluminium value chain. For example one ASI packaging member has requested all their suppliers to get certified against

the Performance Standard in 2019 and CoC Standard in 2020. If more companies do this, this creates increased awareness of the ASI system and uptake and implementation of best practice standards by companies globally.

**Emma Hague** from Equitable Origin and **Taylor Kennedy** from RESOLVE presented in the afternoon on FPIC. They gave an overview of what FPIC is and what it is not, and how it is embedded in International Human Rights Law. FPIC is the principle that an Indigenous community has the right to give or withhold consent to proposed projects that may affect their land, natural resources, lives and wellbeing. It is an ongoing process, not a onetime thing.

Experiences with FPIC from Australia, India, Suriname and Africa were shared following the presentation. In many countries the state owns the land and mineral resources and it is the feeling of Indigenous peoples that FPIC often only exists in principle; in reality people often have the right to consultation.

Shared experience from one region provided additional tools that may be used by Indigenous peoples:

- Looking at the experiences of other Indigenous peoples both in other regions of the world but also in other industries in order to learn from their experience. Where possible establish relationships with those groups who have successfully navigated the same or similar situations
- Appling to the courts both locally and internationally
- Reaching out to senior personal in the company you are dealing with as they are more adept at dealing with the complexity of Indigenous peoples rights
- Establish agreements that clearly define compensation and benefits.

A video was shown from Ghana on the importance of mapping your natural resources. Three important things stood out:

- Mobilise youth and educe them on the impact of mining
- Unite so that communities are stronger
- Map all natural resources so that these can be presented to the company: this will prevent them from telling lies about the land.

The day concluded with a session of only Indigenous peoples, Local Community and Adivasi. This included general discussions and consideration of the Key Principles that IPAF can advise ASI Secretariat, Working Groups, the Standards Committee and members that apply for ALL matters related to Indigenous peoples and Local Communities and their traditional lands.

Key Principles that apply:

- United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
- Free Prior and Informed Consent (FPIC)
- Indigenous People and Local Communities have their own traditional governance systems and decision making process
- Indigenous People and Local Communities own their own territories.

#### Monday 4 March – Local Training Day 3

The final day of training was about reflection: what have the participants learned from the last few days; looking ahead: what can we do as a group and as an individual, and what do Adivasi need and expect from IPAF and ASI?

Actions points that came out of these discussions include:

- An Action Committee was created with two or three representatives from each state: Odisha, Chhattisgarh and Jharkhand who will report directly to IPAF and ASI.
- ASI will translate its training materials and other relevant documents to Hindi (a budget allocation for translations was included for the local organisers of the 2019 IPAF meeting), work to expand the IPAF network, continue to help Indigenous peoples through IPAF to understand their national and international rights, and collaborate on research for post-mining land use and livelihoods for Indigenous communities. ASI will also create an overview document of its standards system that can be easily shared with Indigenous People who are not so familiar with technical standards language.

The meeting and trainings were closed with agreement that the draft IPAF meeting report will be initially prepared by ASI and shared with the IPAF for their insights and comments. The participants thanked the IPAF organising team in India for the successful hosting of the 2019 meeting. ASI thanked all participants for their contributions to a positive program of exchange and collaboration.

### Tuesday 5 and Wednesday 6 March – Field Visit to Odisha

Some members of the group travelled by train from Ranchi to Rourkela, a city located in the Northern part of Odisha. Rourkela is known as the 'steel city of Odisha', and has one of the largest steel plants of the Steel Authority of India Limited (SAIL), known as the Rourkela Steel Plant<sup>8</sup>. The group visited the village of Dhaothadamer, about a 1.5 hour drive from Rourkela.

More than 400 people from different villages two villages welcomed IPAF members to their community and shared songs and with Kissan, Oraon and Kharia dances. Presentations on the situation, issues and challenges of Adivasis were given, and the role of farmers, women and youth was also discussed. IPAF members thanked the organisers and community for their hospitality and warm welcome.

<sup>&</sup>lt;sup>8</sup> https://en.wikipedia.org/wiki/Rourkela\_Steel\_Plant\_and https://en.wikipedia.org/wiki/Rourkela\_



IPAF members were welcomed to Dhaothadamer



Kharia dance



Cultural program in Dhathadamer



Birth place of "Dharti Aaba" of Jharkhand, Bhagwan Birsa Munda, in Ulihatu village

# 5. Outcomes

The outcomes of the 2019 IPAF meeting were as follows:

- An Action Committee was created with two or three representatives from each state: Odisha, Chhattisgarh, and Jharkhand, that will report directly to IPAF and ASI.
- ASI will translate its training materials and other relevant documents to Hindi, work to expand the IPAF network, continue to help Indigenous peoples through IPAF to understand their national and international rights, and collaborate on research for post-mining land use and livelihoods for Indigenous communities.
- ASI will also create an overview document of its standards system that can be easily shared with Indigenous People who are not so familiar with technical standards language.
- ASI will incorporate comments on the interview process into the auditor training material.
- ASI will record a webinar of the FPIC material presented at this meeting so it can be shared with Indigenous peoples not in attendance.
- Additional teleconference calls with IPAF may be held at least each 3 months in addition to the annual in-person meeting.
- A short documentary on bauxite mining / aluminium industry in Ghana will be developed that can be posted on the ASI website. The purpose of the documentary is to:
  - o Create a baseline of the history and current issues in Ghana
  - $\circ$  ~ To build on the IPAF platform as a means of learning and communication
  - To test a documentary format as a means to communicate with ASI's broader stakeholders as part of the ASI Monitoring and Evaluation (M&E) program.
- The 2020 IPAF meeting location and approximate timing will be further discussed during a call facilitated by Mark Annandale in March 2019. Options include Australia (Cairns, Weipa and Gove), Ghana and perhaps other locations to be nominated.

# Annex 1: Agenda as Printed

## Monday February 25 – Arrivals

Evening	Participants fly into Ranchi, Jharkhand	As available
	Welcome dinner	

## Tuesday February 26 – IPAF Meeting Day 1

9-10am	Roundtable introductions	All	
10-10.30am	am • Overview of IPAF Fiona and Daniel		
	Welcome from ASI		
	Objectives of meeting		
10.30-11am	Coffee break		
11am-12:30pm	Sharing of experiences among IPAF	India representatives	
	members – bauxite mining in India		
12:30-1:30pm	Dpm Lunch break		
1-3pm	<ul> <li>Continue experience sharing among IPAF members – other regions</li> <li>Discuss common issues and options to address in each situation</li> <li>What are the priority areas to focus training and build capacity?</li> <li>How can IPAF and ASI add value?</li> </ul>	Indigenous and community participants Discussion facilitator – Mark	
3-3.30pm	Coffee break		
3.30-5pm	<ul> <li>RESOLVE session on FPIC toolkit (90 minutes)</li> </ul>	Taylor Kennedy, RESOLVE	
5-5.15pm	Details on field trip tomorrow	India representatives	
Evening	Dinner		

## Wednesday February 27 – Day 2 – Field visit by bus to Lohardaga

Day	India representative arranging mine visits and lunch in a village.	All
Evening	Dinner meeting with informal discussions from the field trip	All

# Thursday February 28 – IPAF Meeting Day 3

9am to 12pm	Review of field trip and associated	All
Sum to 12pm	discussions	, ui
10-11am	<ul> <li>ASI Governance – overview</li> <li>ASI Governance Review         <ul> <li>Objectives</li> <li>Potential changes to IPAF section (see Annex in circulated IPAF brochure)</li> <li>Acknowledgements in ASI meetings – Board request for language (like Australian model of acknowledging traditional owners past, present and future)</li> <li>Biodiversity discussions: update</li> </ul> </li> </ul>	Fiona
11-11.30am	Coffee break	
11.30am- 12.30pm	<ul> <li>Overview of ASI Assurance and Oversight</li> <li>Independent Accreditation Review Panel – candidate to represent IPAF interests</li> <li>Involvement of Indigenous peoples in audit process</li> <li>Training for auditors, including cultural awareness</li> </ul>	Krista
12:30-1:30pm	Lunch break	
1.30-2.30pm	<ul> <li>ASI Monitoring and Evaluation – indicators and case studies that can be relevant for Indigenous peoples in the ASI Standards</li> <li>GIZ research proposal (Mark Annandale)</li> <li>Equitable Original research proposal (Emma Hague)</li> </ul>	Marieke
2.30-3.30pm	Indigenous-only discussion	Indigenous only
3.30-4pm	Coffee break	
4-5.30pm	<ul> <li>IPAF planning for the next 12 months including key actions and draft budget</li> <li>Confirm location and timing for next IPAF meeting</li> <li>Discussions re training 2-4 March</li> </ul>	All Facilitators – India representatives and Mark
Evening	IPAF Meeting concludes – participants may fly out if desired Dinner for those staying on	

# Friday March 1 – Tribal villages day visit

Day	India representative arranged cultural exchange and dance and food in Bundu village this day.	All
Evening	Return to Ranchi	

ASI IPAF Training Program: The aluminium supply chain and Indigenous People-working together - sharing experiences from around the world

9-9.30am	Welcome and overview	India representatives
9.30-11am Basic frameworks India representatives		India representatives
11-11.30am	Coffee break	
11.30am-	Experience sharing from Jharkand and Odisha	
12.30pm		
12.30-1.30pm	2.30-1.30pm Lunch break	
1.30-2.30pm	Experience sharing from West Bengal and	
	Chhattisgarh	
2.30-3:30pm	Experience sharing from Australia, Africa and	George, Aboubacar, Mamadou,
	Suriname, Canada	Abu, Penda, Marie-Josee, Louis
3.30-4pm	0-4pm Coffee break	
4-5pm	Case studies – supporting Indigenous	Mark
	livelihoods <i>before</i> mining	
Evening	Dinner	

### Saturday March 2 – Local Training Day 1

## Sunday March 3 – Local Training Day 2

9-9.30am	Welcome, recap of day 1, overview of day 2	India representatives
-		
9.30-11am	Introduction to ASI and IPAF	Fiona
	<ul> <li>Introduction to ASI Standards, audits,</li> </ul>	Krista
	complaints mechanism	
	• Q&A	
11-11.30am	Coffee break	
11.30am-	Equitable Origin: FPIC toolkit	Emma
12.30pm		
12.30-1.30pm	Lunch break	
1.30-3pm	RESOLVE toolkit	Taylor
3-3.30pm	General Q&A India representatives	
3.30-4pm	Coffee break	
4-5pm	Case studies – supporting Indigenous Mark	
	livelihoods <i>after</i> mining	
Evening	Dinner	

Monday March 4 – Local Halling Day 5				
9-12.30pm	<ul> <li>Discussion:</li> <li>Summary of key issues faced by Indigenous peoples in India</li> <li>How have Indigenous peoples in other countries addressed similar issues</li> <li>What are some unique strategies that may assist Indigenous peoples in India deal with some of the local challenges</li> <li>How can ASI certification assist with support for sustainable bauxite mining (and other relevant aluminium supply chain operations)</li> </ul>	India representatives facilitate		
12.30pm-	LUNCH			
1.30pm				
Close	1:30pm			

## Monday March 4 – Local Training Day 3

## Optional:

### 4-5 March – deeper dive on local issues

- A case study to better understand what a priority issue or location may be facing. This may include site visits, discussions with local communities and other stakeholders, briefings on background/context of situation.
  - Document it for further consideration on actions -
  - Share through IPAF
- Overview:
  - Monday March 4 travel in afternoon to Rourkela in Odisha
  - Tuesday March 5 Rourkela Indigenous peoples visit
  - Wednesday March 6 return to Ranchi and return home / onward journeys.

# Annex 2: Participants List

Name	Affiliation	Home country
1. India representatives	Advocate, Delhi	India
2. India representatives	Social activist, Jharkand	India
3. Mr. Mark Annandale	University of Sunshine Coast	Australia
4. Mr. George Walley	Mandurah Dreaming	Australia
5. Ms. Marie-Josee Artist	VIDS	Suriname
6. Mr. Louis Biswane	KLIM	Suriname
7. Mr. Aboubacar Diallo	Mines et Développement Communautaire	Guinea
8. Mr. Mamadou Houdy Bah	Representative of Sangredi community	Guinea
9. Mr. Abu Karimu	Representative of communities affected by bauxite mining	Ghana
10. Dr. Penda Diallo	University of Exeter (also French translation)	Guinea/UK
11. Ms. Taylor Kennedy	RESOLVE	USA
12. Dr. Fiona Solomon	CEO, ASI	Australia
13. Ms. Krista West	Director of Learning, ASI	Canada
14. Ms. Marieke van der Mijn	Director of Impacts and Partnerships, ASI	Netherlands
15. Mr. Daniel Weston	ASI Board Chair	Switzerland
16. India representatives	Ranchi, Jharkand	India
17. India representatives	Tribal Studies specialist	India
18. India representatives	Social Activist, Delhi	India
19. India representatives	Indigenous Leader, Gujurat	India
20. India representatives	Social Activist, Mumbai	India
21. India representatives	Lohardaga, elected local head	India
22. India representatives	Tribal Activist, Chhatishgarh	India
23. India representatives	Tribal Activist / Engineer, Jharkand	India
24. India representatives	Social Activist, Chhatishgarh	India
25. India representatives	Social Activist Jharkhand	India
26. India representatives	Social Activist, Odisha	India
27. Ms. Emma Hague	Equitable Origin	USA / UK
28. Additional French translator		India

# Annex 3: Reference Documents

Aluminium Stewardship Initiative – Governance Handbook v1.1 (2017) <u>https://aluminium-stewardship.org/wp-content/uploads/2017/09/ASI-Governance-Handbook-v1-1-September2017.pdf</u>

Indigenous Peoples Advisory Forum to the Aluminium Stewardship Initiative, Terms of Reference (2015) <u>https://aluminium-stewardship.org/about-asi/indigenous-peoples/</u>

Indigenous Peoples of India At A Glance, CBCI Office for Tribal Affairs.

The Guardian, February 2019. <u>https://www.theguardian.com/commentisfree/2019/feb/25/land-grab-tribal-people-india-adivasi</u>