



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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14 December 2018

Excellency,

I would like to inform you that in the course of its 97th Session, the Committee on the Elimination of Racial Discrimination considered information received related to the mining project “Montagne d’Or” and its impact on the indigenous peoples of French Guiana, France.

The information received indicates that the Russo-Canadian consortium Columbus Gold and Nordgold leads the Montagne d’Or mining project, which would be located in Camp Citron about 125 km away from the town of Saint-Laurent-du Maroni, a territory where Kali’na and Wayana indigenous peoples live. The consortium plans to start pre-production in 2019.

The Committee is concerned about the lack of consultation of, and free, prior and informed consent from the indigenous peoples of French Guiana regarding the mining project “Montagne d’Or”. The Committee is also concerned about the alleged absence of intention to undertake such consultation despite the adverse impact of the mining project on indigenous peoples’ control and use of their lands, including threat to ecosystems, deforestation and destruction of archaeological sites.

Therefore, the Committee is concerned that, if the above allegations were corroborated, the realization of the mining project “Montagne d’Or” would infringe the rights of indigenous peoples of French Guiana that are protected under the International Convention on the Elimination of All Forms of Racial Discrimination.

The Committee would like to recall paragraphs 11 and 12 of its 2015 concluding observations (CERD/C/FRA/20-21) and requests the State party to provide information on the steps taken to:

His Excellency Mr. Francois Rivasseau
Permanent Representative of France
to the United Nations Office
Geneva
Email: missionfrance@bluewin.ch

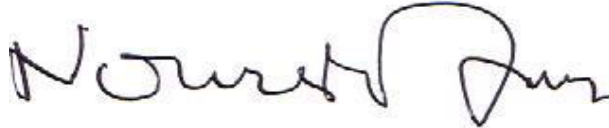
1. Ensure the right to consultation and free, prior and informed consent to all indigenous peoples affected by the Montagne d'Or project, including the realization of a social and environmental impact assessment with the effective participation of all affected indigenous peoples in accordance with their own institutions and decision-making processes;
2. Consider the suspension of the Montagne d'Or project until free, prior and informed consent is obtained from all the indigenous peoples affected by this project, following the full and adequate discharge of the duty to consult.

In this regard, the Committee encourages the State party to consider engaging with the United Nations Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) that is mandated by the Human Rights Council (resolution 33/25, paragraph 2), to provide States with technical advice on the rights of indigenous peoples and facilitate dialogue between States, indigenous peoples and/or the private sector.

In accordance with article 9 (1) of the Convention and article 65 of its Rules of Procedure, the Committee requests the State party to submit its response before 8 April 2019.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of France, with a view to ensuring the effective implementation of the Convention.

Yours sincerely,



Nouredine Amir
Chair

Committee on the Elimination of Racial Discrimination