

LmunA 2026

Research report

Forum: Third General Assembly
Issue: Safeguarding the Rights of Indigenous Peoples
Affected by Mining Industries
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Introduction

Mining has long been recognized as an important contributor to **economic development**, providing essential minerals, creating employment opportunities, generating government revenue, and supporting industries around the world. From gold and copper to coal, lithium, and other critical minerals, mining plays a significant role in modern economies and technological development. However, behind these economic benefits lies a serious and often overlooked human and environmental cost. In many regions, mining operations take place on or near the traditional territories of **Indigenous peoples**, whose communities have lived in close relationship with their lands, forests, rivers, and natural resources for generations. As a result, the expansion of mining industries can pose significant threats to the lives, livelihoods, cultures, health, and human rights of Indigenous communities.

Safeguarding the lives of Indigenous peoples affected by mining also requires greater attention to health and safety. Mining operations can expose communities to hazardous substances, polluted water, excessive dust, noise, and other environmental risks. These dangers may contribute to health problems while simultaneously damaging the ecosystems on which communities depend. Workers and residents may also face physical risks associated with mining infrastructure, transportation, waste disposal, and accidents. Governments and mining companies therefore have a responsibility to establish and enforce strong environmental and occupational safety standards. Regular monitoring of air, water, and soil quality is essential to identify harmful impacts and prevent long-term damage.

At the same time, protecting Indigenous communities does not necessarily mean preventing all mining activities. Minerals are important to many aspects of modern life, and responsible mining can contribute to economic opportunities when it is carefully regulated. The central issue is how mining can be conducted while respecting human rights, environmental sustainability, and Indigenous sovereignty. Mining companies should adopt responsible practices that minimize environmental damage, restore affected ecosystems, protect workers and communities, and ensure that Indigenous peoples benefit fairly from activities taking place on or near their territories. This may include benefit-sharing agreements, environmental impact assessments, independent monitoring, land rehabilitation, and community development programs. However, these measures should complement, not replace, the **fundamental rights** of Indigenous peoples to participate in decisions affecting their lands.

Ultimately, safeguarding the lives of Indigenous peoples affected by mining requires a balance between economic development, environmental protection, and social justice. Indigenous communities should not be expected to sacrifice their health, culture, ancestral lands, or future generations for economic progress. Instead, they must be recognized as rights-holders and equal participants in decisions concerning natural-resource development. By respecting Indigenous land rights, protecting the environment, ensuring meaningful participation, and implementing responsible mining practices, governments and industries can work toward a more sustainable and equitable future. The protection of Indigenous peoples is not only an environmental or economic issue; it is fundamentally a matter of human dignity, justice, equality, and the right to live safely on and care for one's ancestral lands.

Definitions of key terms

Fundamental Rights

Fundamental rights are the basic rights and freedoms that belong to everyone. They are the same no matter where you're from, what you believe or how you live.

Economic Development

The process in which an economy grows or changes and becomes more advanced, especially when both economic and social conditions are improved.

Indigenous People

the original inhabitants of a region, particularly those who maintain cultural, social, and historical ties to their ancestral lands. This term is significant as it highlights the unique identities and traditions of Indigenous Peoples. Understanding these perspectives is crucial in promoting cultural diversity and environmental stewardship.

General overview

Indigenous peoples often depend directly on their surrounding environment for food, clean water, medicine, housing, cultural practices, and economic activities. Their connection to their ancestral lands is not simply economic but also deeply social, spiritual, cultural, and historical. When mining projects result in the destruction or change of these lands, the effects can extend far beyond environmental damage. Deforestation, soil degradation, water contamination, air pollution, and the destruction of ecosystems can make it difficult for Indigenous communities to maintain traditional ways of life. Pollution from mining activities can contaminate rivers and other water sources, affecting drinking water, agriculture, fishing, and wildlife. The loss of biodiversity can also threaten traditional food sources and practices that have been passed down through generations.

Another major concern is the displacement of Indigenous communities. Large-scale mining projects may require extensive areas of land, leading to relocation or restricting communities' access to places that are essential to their livelihoods and cultural identity. When people are forced to leave their ancestral territories, they may lose access to sacred sites, burial grounds, hunting areas, forests, and waterways. Such displacement can cause social disruption, economic insecurity, psychological distress, and cultural loss. Even when communities receive financial compensation, money alone cannot replace the cultural and spiritual significance of ancestral lands. Therefore, protecting Indigenous peoples requires recognition that land is not merely a commodity but an essential part of identity, heritage, and community survival.

The expansion of mining industries can also create serious concerns regarding Indigenous rights and participation in decision-making. In some cases, mining projects have been approved without adequate consultation with the communities that will be directly affected. This can leave Indigenous peoples with little influence over decisions concerning their own lands and resources. The principle of Free, Prior and Informed Consent (*FPIC*) is therefore particularly important. *FPIC* means that Indigenous communities should receive sufficient information about proposed projects, have the opportunity to participate meaningfully in decision-making, and be able to give or withhold consent before activities affecting their traditional territories take place. Respecting *FPIC* can help promote transparency, accountability, equality, and respect for Indigenous self-determination.

Governments also have a crucial responsibility to protect Indigenous communities by creating and enforcing effective laws, policies, and regulations. Strong legal frameworks should recognize Indigenous land and resource rights, require meaningful consultation, establish clear environmental protections, and provide accessible mechanisms for communities to report violations and seek justice. Mining companies must likewise be held accountable when their activities cause environmental destruction or violate human rights. Independent oversight and transparent reporting can help ensure that economic interests do not take priority over the safety and dignity of Indigenous peoples.

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Discussing the impact of mining industries on Indigenous peoples is important because it addresses a critical intersection of human rights, environmental protection, social justice, and economic development. Mining provides valuable resources that support industries, technology, infrastructure, and national economies, but its benefits can come with serious consequences for communities living near mining sites, particularly Indigenous communities whose identities and livelihoods are deeply connected to their ancestral lands. When mining activities lead to deforestation, water contamination, air pollution, soil degradation, and habitat destruction, Indigenous peoples may lose access to the natural resources they depend on for food, clean water, medicine, and income. These environmental changes can also threaten traditional practices and cultural knowledge that have been preserved and passed down through generations. Furthermore, mining projects can result in land displacement, forcing Indigenous families to leave territories that hold significant cultural, spiritual, and historical meaning. This makes the issue more than an environmental concern; it becomes a question of human dignity, cultural survival, and Indigenous rights. It is also important to discuss this issue because Indigenous communities have historically faced unequal treatment and limited participation in decisions involving their lands and resources.

In some situations, mining projects have been developed without sufficient consultation or transparency, leaving affected communities with little power to influence decisions that directly affect their lives. Examining these concerns can encourage governments, companies, and society to recognize the importance of Indigenous self-determination and meaningful community participation. Furthermore, discussing the issue can help promote greater corporate accountability, encouraging mining companies to adopt safer and more environmentally responsible practices. It can also encourage governments to strengthen laws and policies that protect Indigenous land rights, health, and environmental resources. Most importantly, raising awareness about the challenges faced by Indigenous peoples can help prevent their concerns from being ignored in the pursuit of economic growth.

The goal should not necessarily be to stop all mining, but to ensure that resource development does not come at the expense of human lives, cultural heritage, or environmental sustainability. By openly discussing the relationship between mining and Indigenous communities, society can identify solutions that promote responsible mining, equitable benefit-sharing, environmental conservation, and social justice. Addressing this issue is therefore essential for creating a future in which economic development can occur while respecting the rights, safety, dignity, and cultural identity of Indigenous peoples and protecting the environment for both present and future generations.

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Major parties involved

FPIC (Free, Prior and Informed Consent)

An internationally recognized human right that protects indigenous peoples and local communities. It gives them the right to give or withhold approval for any project that may affect their lands, resources, or livelihoods.

United Nations Permanent Forum on Indigenous Issues (UNPFII)

A high-level advisory body that provides expert advice and recommendations to the UN Economic and Social Council. It serves as a vital platform where Indigenous leaders directly challenge state governments and corporate entities regarding unsanctioned mining on ancestral lands.

International Council on Mining and Metals (ICMM)

An influential industry group representing roughly a third of the world's largest mining companies. The ICMM Indigenous Peoples Position Statement binds member corporations (such as BHP and Rio Tinto) to actively engage with Indigenous communities from a project's onset to achieve consent agreements.

Canada

Extractive and mining operations based in or operating within Canada frequently drive the destruction of environments and cultures on Indigenous territories.

Brazil

Indigenous territories in the Amazon, such as those of the Yanomami, Munduruku, and Kayapó peoples, face severe contamination of waterways from mercury, deforestation, and social violence driven by illegal gold miners (*garimpeiros*) alongside political pushes to expand commercial mining permits.

India

Centralized sub-soil mining in states like Odisha, Jharkhand, and Chhattisgarh causes widespread deforestation and dispossesses Adivasi (Indigenous) communities of their forest rights.

Timeline of Key Events

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| 1963 | Yirrkala Bark Petitions (Australia): The Yolŋu people presented bark petitions to the Australian Parliament to protest bauxite mining on their sacred lands, marking the first formal traditional land protest recognized in Australian law |
| 2007 | UN Declaration on the Rights of Indigenous Peoples (UNDRIP): The United Nations General Assembly formally adopted UNDRIP, establishing Free, Prior, and Informed Consent (FPIC) as a core international human rights standard regarding extractive projects on tribal lands. |

Previous attempts to solve the issue

There have been previous attempts to address the safeguarding of indigenous peoples' rights affected by mining. Even though there are not any solutions found yet, there have been major approaches to work to resolve the issue.

The United Nations adopted the UN Declaration on the Rights of Indigenous Peoples (*UNDRIP*) in 2007. It recognises indigenous peoples' rights to self determination, traditional lands and resources, and participation in decisions affecting them. The UN also created the Free, Prior and Informed Consent (FPIC).

Despite these measures, problems remain. Consultation does not always require genuine consent, communities may lack the resources or legal power to negotiate with large mining companies, and governments sometimes prioritize economic development and mineral revenues over indigenous rights. Compensation can also fail to replace cultural, spiritual or environmental values that can not easily be assigned as a monetary value. A major ongoing challenge is therefore moving from "consulting" indigenous communities after decisions are largely made toward giving them meaningful decision making power from the beginning.

Possible solutions

Require Free, Prior and Informed Consent (FPIC). Mining companies should be required to obtain the free, prior and informed consent of Indigenous communities before starting projects on or near their traditional lands. This means communities must receive clear information about the project, have enough time to consider its effects, and be able to make decisions without pressure or intimidation. This gives Indigenous people a meaningful role in decisions that directly affect their land, culture, and livelihoods.

Strengthen laws protecting Indigenous land rights. Governments can create and enforce stronger laws that formally recognize Indigenous peoples' traditional territories and land ownership. Mining companies should not be allowed to operate on these lands without following strict legal requirements. Clear land rights can help prevent forced displacement, protect sacred sites, and ensure that Indigenous communities have legal ways to challenge mining activities that violate their rights.

Increase environmental protection and independent monitoring. Mining can damage water sources, forests, wildlife, and agricultural land that Indigenous communities depend on. Governments should therefore require strong environmental assessments before mining begins and continuous monitoring while projects are operating. Independent organizations should be able to inspect mining sites and investigate complaints. Companies that cause environmental damage should be required to clean it up and compensate affected communities.

Give Indigenous people greater participation in decision-making. Indigenous representatives should have a permanent and meaningful role in government and mining decisions that affect their communities. This could include Indigenous-led environmental monitoring, consultation committees, legal support, and participation in negotiations with mining companies. Giving communities a stronger voice helps ensure that their cultural traditions, human rights, and long-term interests are considered rather than treating them as an afterthought.

Further reading

1. <https://stories.undp.org/10-things-we-all-should-know-about-indigenous-people>
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