GUIDELINES FOR FOLLOWING FPIC FOR INDIGENOUS PEOPLES

An approach for use under the El Dorado Gold Responsible Mining Initiative
Table of Contents

I. Objective ................................................................................................................................. 2

II. Requirements for Identifying Villages to be Engaged by the Project...................... 2

III. Engaging Indigenous Villages......................................................................................... 3

   A. The General Process for Engagement........................................................................... 3

      i. Making Contact ........................................................................................................... 3

      ii. Introductory Meeting with Village Council ............................................................ 4

      iii. Meeting with the full Village ..................................................................................... 5

      iv. Consent for Project and Project Activities ............................................................... 6

   B. Specifics for Different Types of Engagements............................................................... 7

      1) Demonstration Site is on Indigenous Land ............................................................... 7

      2) Research/Consultancies ............................................................................................. 10

      3) Training on Mercury-Free Technology .................................................................... 12
I. Objective

1. This initiative expects to engage with the Indigenous Peoples through:
   a) Research in the form of surveys, questionnaires, focus group discussions, and interviews, some of which may be filmed,
   b) Education and awareness, with a focus on
      i. project components,
      ii. effects of mercury and mining safety,
      iii. environmentally friendly mining approaches and mercury free technologies, and
      iv. access to financing for responsible mining in the ASGM sector.
   c) Training sessions on environmentally friendly mining approaches and mercury free technologies
   d) Village planning and livelihoods development

II. Requirements for Identifying Villages to be Engaged by the Project

2. Before the initiative engages any indigenous community, it is crucial to first identify why and how the Village is to be engaged.
3. The project will be implemented in regions with several indigenous villages, and all efforts will be made to engage the communities that could be impacted, either positively or negatively, directly, or indirectly.

4. An initial assessment based on the following questions will be used to guide the engagement process:
   - Will project activities take place on Titled or customary lands?
   - Will project sites be accessed through Titled or customary lands?
   - Will the project have wider environmental impacts on Titled or customary lands (downstream, downwind, etc.)?
   - Will project activities likely increase/decrease travel to and from the Village, and its Titled or customary lands?
   - Will project activities have any other potential impacts (e.g. social impacts) on Titled or customary lands?
   - Will the project have the scope and resources (financial and human) to support the needs identified by the Village?

5. These assessments will be led by Conservation International-Guyana, in close consultation with communities, project partners and other key stakeholders, including the National Toshaos Council and the Ministry of Indigenous Peoples Affairs.
III. Engaging Indigenous Villages

6. After the initial assessment has been completed, and a village/s has/have been identified as potentially being impacted by the project, the engagement process will begin.

7. The project expects to follow a general process when engaging Indigenous Villages, with specific adjustments made based on a particular context and circumstances.

8. To understand and plan for specific adjustments, needs and conditions encountered on the ground, the initiative will partner with communities, other rights holders, and key project partners, specifically the NTC and Ministry of Indigenous Peoples Affairs.

9. In engaging communities, the project will follow all Village rules and relevant customs, as well as the Amerindian Act 2006. In the absence of Village rules, the project will ensure compliance with the Amerindian Act and best practices under CI’s Rights-Based Approach Indigenous Peoples and CI Policy and the GEF’s Policy on Agency Minimum Standards on Environmental and Social Safeguards. This also includes the provision of information on the project, specific project activities and potential impacts on the village. Unless otherwise defined by gazetted village rules, consent will be understood as at least two-thirds vote of those present and entitled to vote at a village general meeting (Amerindian Act 2006), documented through the collection of the signatures of meeting attendees, and in a written agreement with the respective Village Council.

A. The General Process for Engagement

10. In some cases, more than one type of engagement may be pursued with each village/group.

11. As such, a full list of all likely engagements will be prepared as much in advance as possible for each village, with adjustments to the general process outlined below, where necessary.

i. Making Contact

12. Contact should first be made with the Toshao via telephone, radio or in person.

13. This initial engagement should include a short introduction of the person making contact, CI-Guyana, and the project.

14. As needed, a one-page summary should be prepared and used as a speaking guide by the person making contact.

15. Following this short introduction, a meeting with the full Village Council should be requested, to further introduce and discuss the project, and answer the Council’s questions.

16. Agreement should be reached with the Toshao on a date, time and place convenient to the Village Council.
17. Guidance will also be sought from the Toshao on the best channel(s) through which project information can be sent to the Village Council in advance of the meeting.
18. This discussion should be documented, and if necessary, the project team will follow-up to confirm the meeting date and time.

ii. Introductory Meeting with Village Council

a. Information sharing in advance of meeting

19. Once the council has confirmed the details of the meeting, the project team will send an information package to the community at least two (2) weeks prior to the meeting date.
20. This package should, at a minimum, include all relevant project information, including background information on CI-Guyana, the full project document, a project summary using clear, appropriate and easily understood language, and any additional project-related documentation.
21. If translation is required, the project team must make advance arrangements to recruit a translator(s), preferably from the Village or within the region, in collaboration with the Council.
22. If the project team hopes to also meet with the Village (or any other group/person) following the Council meeting, this desire must be communicated to the Toshao.
23. In doing so, the Team must clearly state that the decision to schedule a Village meeting is up to the discretion of the Toshao and Council, and that they have the right to await the results of the Council meeting before doing so.

b. First meeting with the Village Council

24. The project team will present themselves to the Council at the predetermined date, time and location for the meeting.
25. The Toshao, or his/her official designate, will be asked to chair the meeting according to the Village’s established rules and/or procedure.
26. The Project Team will briefly present the organization, the project and expand on the information provided in the written summary.
27. This meeting will allow time for discussion of concerns the Council may have about the project, its activities, and/or the information package.
28. All deliberations, including questions or concerns voiced by the Toshao and Council, must be documented by the project team.
29. At the end of the meeting, the project team may request a meeting with the Village¹, if not already discussed.

30. The Village Council can choose to accept the request, deny the request or delay the request pending additional information or clarifications.

31. The Village Council’s decision must be documented, and a register of all the persons present must also be taken.

iii. Meeting with the full Village

32. If the Village Council has agreed to the request to meet with the Village, the project will work with the Council to ensure appropriate representation is achieved at the meeting. This would include women and youth leaders, farming groups, male and female miners and other groups which are important to the implementation of the project’s activities.

33. The project will also work with the Council to create conditions to maximize participation. The project will:
   a) make all efforts to organize meetings on a day and time suitable for the attendance of all participants. If most of the participants are unable to attend based on the day or time of the meeting, the project with help from the Council, will facilitate more meetings.
   b) make all efforts to organize meetings in a central location, or the regular site used by the community for their village meetings.
   c) make all efforts to facilitate travel to the meeting using established norms and practices (e.g. hire of village bus or boat, compensation for fuel used, etc.) if transportation is required for some participants due to the distance between their homes and the meeting site
   d) provide a translator, if needed or requested by the community 
   e) provide snacks for the meeting. If required, the project will make all efforts to provide extra snacks/meals for women to take home to their families to ensure their participation.

34. Based on the advice of the Village Council, copies of the written summary of the project’s proposed activities (with any modifications based on meeting with the Village Council) can be provided for the Villagers at least one (1) week before the meeting.

35. The meeting will include a presentation from the project team on the project’s proposed activities and provide time for discussion and questions from the Village.

36. All questions and comments raised by the villagers will be documented.

¹ By law, all decisions made by a village are done at a village general meeting. For more information on village general meetings see The Amerindian Act 2006 Part III 34.
37. If the Village requires more information or another meeting with the project team, this request will be documented, and in the case of the meeting, will be planned with the help of the Village Council.

iv. **Consent for Project and Project Activities**

38. Having met all village requests for further information or discussions, community consent for the project will be requested in writing, and pursued through a Village General Meeting², where permission will either be given or denied.
39. The Project Team will be present at the general meeting, if required, to answer any remaining questions or queries.
40. The project team will request a copy of the attendance sheet and the minutes of the general meeting, which should be signed and/or stamped by the Toshao and Village Council.

---

² Amerindian Act Part V 48. (1) (g)
B. Specifics for Different Types of Engagements

1) Demonstration Site is on Indigenous Land

i. Making Contact

41. The process is the same as the General Process Nos. 12-18.

ii. Introductory Meeting with Village Council

a) Information sharing in advance of meeting

42. The project team will provide the full project document as well as a written summary (using clear, appropriate, and easy to understand language) of the proposed project activities. This summary would include:
   a. Rights and responsibilities of the Village as a primary stakeholder in the project.
   b. A simple explanation of the project’s key stakeholders and their roles in the process. This would help to provide more context for the Village leadership, especially if they have had past experiences with any of our stakeholders.
   c. A simple explanation of the project’s activities and what the project team hopes to achieve in their engagement with the village.
   d. A map of the proposed location of the demonstration site
   e. The duration of the project activities in the Village
   f. The likely impacts, both positive and negative, of the demonstration site and project activities on the Village and Village lands

b) First Meeting with the Village Council

43. The process is the same as the General Process Nos. 24 - 31.
44. The Project Team must determine whether the Village Council is aware of the expression of interest to host a demonstration site on their lands.
45. If the concessionaire is already operating within the community and/or an agreement already exists with the Village Council, the Project Team will work with the Council to determine whether the existing agreement adheres to basic FPIC principles.

---

3 The Amerindian Act Part V 48. (1)
46. This determination will also include any adjustments to the agreement recommended by the Project Team to ensure FPIC principles are adhered to prior to involvement in the project.
47. If the Village Council is unsure or not knowledgeable about FPIC, the project team will provide an overview of FPIC principles and its application under the Conservation International Guyana’s Responsible Mining Initiative (RMI).
48. If requested by the Village Council, the project will provide a trusted third-party organization, with expertise in FPIC principles, to be included in the session.

iii. Meeting with the full Village

49. Same as General Process Nos. 32 – 37.

iv. Consent for Project and Project Activities

50. Same as General Process Nos. 38 – 40.

v. Written Agreement with the Village

51. Under the Amerindian Act⁴, if the project has received the Village’s consent via two-thirds of votes at the Village General Meeting, the Village Council, acting on behalf of the Village, can enter into a written agreement with the project and the concessionaire.
52. Under the Amerindian Act⁵ and using GEF policy⁶, the agreement must contain the following terms:
   a) Employment offered to residents at market rates
   b) Employment only offered to non-residents if residents with the required skills are unavailable
   c) All food and materials purchased from the Village, if these are available and listed at reasonably competitive prices
   d) An accountability and grievance mechanism shall be made available to the community and used to identify and respond to any conflict arising from the demonstration site or project activities.
   e) Clear reporting lines and responsibilities between the project team, concessionaire and village.
   f) The project and concessionaire will avoid significant conversion or degradation of critical natural habitats⁷.

---

⁴ The Amerindian Act Part V 49 (1)
⁵ The Amerindian Act Part V 49 (2)
⁶ GEF/C.41/Rev.1, GEF Policy on Agency Minimum Standards on Environmental and Social Safeguards
⁷ Definitions for these terms can be found in the above footnote.
g) The project and concessionaire shall take all reasonable steps to avoid:
   i. Pollution of ground water and surface water
   ii. Interference with agriculture
   iii. Disruption of residents’ normal activities

h) The project, concessionaire and any person employed for the demonstration site, shall comply with the rules made by the Village Council under section 14 of the Amerindian Act.

53. Under consultation with the Village, the agreement can also include:
   a) A protocol regulating the behaviour of the project team, concessionaire, persons employed for the demonstration site and any project stakeholders including any restrictions on the use of alcohol and the carrying of firearms
   b) An environmental protection plan
   c) A waste disposal plan
   d) A mechanism for accessing and paying compensation

54. This agreement with the Village should be signed and stamped by the Toshao and two members of the Village Council, acting on behalf of the Village, CI-G’s Executive Director and the concessionaire.

55. A copy of the agreement should be given to the Ministry of Indigenous Peoples Affairs (MOIPA), the Guyana Geology and Mines Commission (GGMC) and the Environmental Protection Agency (EPA).

vi. Monitoring and Evaluation

56. The project will work closely with the Village to monitor and evaluate project activities within the Village.

57. Quarterly checks will be made by the project staff with the Village to ensure that all agreements made by the concessionaire and/or the project are being upheld. This will include meetings with the Village Council and Village about the project and collecting any grievances pertaining to the project and project activities including the demonstration site.

58. A Mid-Term Review will be conducted which will include a review of the demonstration sites by an independent consultant.
2) Research/Consultancies

59. Even before permission for research is sought from an Indigenous Village, the researcher/consultant must undergo a process of review and approval from CI by an independent Institutional Review Committee (IRC). This only applies to research that involves human subjects.

60. Under the Amerindian Act, any research to be conducted in an Indigenous Village requires that the researcher/consultant apply for and obtain in advance the permission of the Village Council, permits required under any other law and the permission of the Minister of Indigenous People’s Affairs.

61. They are then expected to provide the Village Council and the Minister with a full written report of the findings, a copy of all recordings made and a copy of any publication containing material derived from the research.iii.

i. Making Contact

62. Same as General Process Nos. 12 – 18.

ii. Introductory Meeting with Village Council

a) Information sharing in advance of meeting

63. The researcher/consultant will provide a written summary and full documentation of the research (whether one or several) that will be conducted. This summary would include:

a. List of research to be conducted
b. Timeline for research
c. Objective of the research
d. Brief Introduction of researchers/consultants (if available)
e. Number of villagers required for the research
f. The consent forms for village approval
g. How data collected from the research will be managed
h. What will be done with the information obtained from the research

b) First Meeting with the Village Council

64. Same as General Process Nos. 24- 31, with the only exception that, if the researcher/consultant has already been chosen, they will also be at the meeting.

---

8 Conservation International Rights-based Approach Research Ethics Policy June 2012
9 The Amerindian Act Part II 5. (3)
10 The Amerindian Act Part II 6. (1)
iii. Meetings with the full Village

65. Same as General Process Nos. 32 – 37.

iv. Consent for Project and Project Activities

66. No written agreement for consent from the Village General Meeting is required by the law however, each villager will be required to fill out a consent form before participating in the research/consultancy.
67. A consent form will also need to be filled for any photographs or videos.
68. This consent form will be verbally described to participants in a simple language before being presented to the participants.

v. Meeting to Share Findings with Village

69. The project and researcher/consultant will request a meeting with the village via the Village Council to share the findings of the research before the research has been submitted as a final deliverable.
70. Once the meeting has been agreed to, preliminary research findings will be provided to the village at least two weeks before the meeting.
71. These findings should be presented using clear, appropriate and easily understood language.
72. At the meeting, the researcher/consultant will present their research findings and provide a time of discussion with the Villagers.
73. All questions and comments raised by the Villagers will be documented.
74. Based on this meeting, the researcher will document any discrepancies (if any) in their final report.

vi. Submission of Completed Research Document

75. The project team and researcher/consultant are responsible for printing and presenting up to a maximum of ten (10) copies of the final research report to the Village.
76. Aside from the Council, all efforts will be made to share the findings with everyone who was directly involved in the research.
77. If more copies are required by the Village, the project team will print and present them to the Village free of cost.
3) Training on Mercury-Free Technology

78. Training on Mercury-Free Technology will take place at demonstration sites and/or through mobile demonstrations.
79. Invitations to Indigenous Villages near to the demonstration sites will be sent to the Village Council.
80. These invitations will be sent at least two (2) weeks prior to the training and will be followed up by a telephone call from the project team.
81. The Villages have the right to request more information and/or refuse to attend the demonstrations.
82. To maximize participation, the project is willing to provide conditions under No. 33 where applicable.