



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

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Excellency,

I would like to refer to your communication received on 10 April 2019 containing information on the impact of the mining project “Montagne d’Or” on indigenous peoples in French Guyana, France, in response to the Committee’s letter of 14 December 2018 adopted under its early warning and urgent action procedure, in accordance with article 9 (1) of the Convention and article 65 of its Rules of Procedure.

In its letter, the Committee specifically raised concerns about the impact of the mining project “Montagne d’Or” in French Guyana that has been, allegedly, developed without adequate consultation and free, prior and informed consent from indigenous peoples.

The Committee welcomes the information provided by the State party on the measures taken regarding the organisation of a consultation on the project “Montagne d’Or” conducted by the National Commission on the Public Debate (CNDP). According to the information provided, the public consultation took place from 7 March to 7 July 2018 and registered broad public participation, both online and in meetings, while no specific consultation with indigenous peoples has been conducted.

The Committee notes the information provided by the State party about the plan of the Ministry of Ecological and Solidary Transition to modify the mining Code, indicating that this may constitute an opportunity to strengthen the modalities of consultation with affected populations. Nonetheless, the Committee remains concerned about the lack of measures taken to ensure an adequate discharge of the duty to obtain consent through a legitimate process of free, prior and informed consultation with indigenous peoples about the project “Montagne d’Or”.

His Excellency Mr. François Rivasseau  
Permanent Representative of France  
to the United Nations Office  
Geneva  
Email: [missionfrance@bluewin.ch](mailto:missionfrance@bluewin.ch)



The Committee will be further considering this matter in the context of the review of the twenty-second and twenty-third periodic reports of the State party submitted on 9 May 2019, in accordance to article 9 of the Convention.

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,

A handwritten signature in black ink, appearing to read "Nouredine Amir".

Nouredine Amir  
Chair

Committee on the Elimination of Racial Discrimination