

REFERENCE: CERD/EWUAP/114session/2024/CS/BJ/ks

13 December 2024

Excellency,

I write to you in relation to the Committee's letters¹ regarding the information received under its early warning and urgent action procedure related to the situation of the Akawaio indigenous villages of Tassarene and Kangaruma, the Wapichan people and the Chinese Landing Carib indigenous community.

The Committee thanks the State party for its engagement with the Committee and its responses. Regarding the Tassarene and Kangaruma villages, the Committee notes the information received from the State party on the demarcation process and that both villages received titles in July 2022. The Committee also takes note of the information on the engagement between the village councils and the Guyana Geology and Mines Commission regarding illegal operations and unauthorized mining activities on the lands of both villages. It also notes the information that, as of 2022, there were 262 active mining properties in Tassarene and 123 active mining properties in Kangaruma.

Regarding the mining project on Marudi Mountain and its impact on the Wapichan indigenous people, the Committee notes the information provided by the State party that the mining exploration and prospecting activities started in the 1930s by several mining companies and that the Marudi Mountain is not titled indigenous land. It also notes the information that a mining company, Romanex (Vanessa Ventures) acquired the project in 1998, which engaged and developed partnerships with the village council of the Deep South Rupununi and surrounding communities, allowing small-scale mining on Mazoa Hill. The Committee also takes note of the information that the Ministry of Natural Resources conducted 11 consultations between December 2020 and August 2023 considering the agreement reached to regulate small-scale mining among Guyana Geology and Mines Commission, mining companies and Rupununi Miners Association. It further notes the information that the South Rupununi District Council refused to engage in the consultations of the agreement on regulating small-scale mining, and that the Rupununi Miners Association Cooperative Society Limited was established to represent the interests of miners and residents who were supportive of small-scale mining operations in Marudi Mountain.

H.E. Mr. Leslie Ramsammy
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¹ See Committee's [letter of 17 May 2018](#); [letter of 14 December 2018](#); and [letter of 29 April 2022](#).

Regarding the Environmental and Social Impact Assessment (ESIA) of the mining project on Marudi Mountain, the Committee takes note of the information provided by the State party on the conduct of two ESIA's in 2003 and 2018. It also notes the information that inter-agency consultations were conducted with primary stakeholders that included non-governmental organizations, such as the Amerindian People's Association and the Guyanese Organization of Indigenous Peoples. The Committee further takes note of the information provided by the State party on the implementation of safe environmental mining regulations and practices at the mining operations at the Marudi Mountain as well as on the monitoring role by the Guyana Geology and Mines Commission of the mining activities to ensure compliance with domestic environmental regulations.

Regarding the granting of the medium-scale mining concession to Mr. W. Vieira in the titled lands of the Chinese Landing Carib indigenous community, the Committee takes note of the information that the Inter-American Commission on Human Rights (IACHR) issued [Resolution 41/2023](#), dated 21 June 2023, through which it granted precautionary measures in favour of the indigenous community. It further notes the information on the decision by the State party, in August 2023, to temporarily halt all mining activities and the information regarding the establishment of a multisectoral governmental fact-finding team to assess and investigate social and environmental issues related to the mining operations. The Committee also takes note of the information provided by the State party on the review of the police records of the Santa Cruz police outpost and the Acquero police station between 2017 and 2022 which revealed that there was no complaint submitted regarding threats against residents of the Chinese Landing indigenous community by miners and by members of the Guyanese police force.

The Committee takes note of the information that, in accordance with Article 142 of the Constitution, Article 57 of the Amerindian Act of 2006 and the State Lands Act (1972) Cap. 62:01, the domestic legal framework grants protection for occupational rights of miners and mining companies, including if mining concessions were granted before recognizing legal title of Indigenous communities to their lands, territories or resources.

The Committee notes the information on judicial and non-judicial remedies, such as the human rights commissioners and the Amerindian land title grievance redress mechanism, and the availability of legal aid. It further notes the information that the appeal submitted by the Chinese Landing village council is being considered by the Appeal Court.

The Committee takes note of the information on the consultation process with Indigenous communities regarding mining activities on their lands, in accordance with Section 48 of the Amerindian Act of 2006, as well as the criteria to address Amerindian land titling claims. It also notes the information that the review of the Amerindian Act started with the consultation of the 242 Indigenous communities in the State party.

In accordance with Article 9 (1) of the Convention and Article 65 of its Rules of Procedure, the Committee requests that the State party provide updated and detailed information on the mining projects on Marudi Mountain and its impact on Wapichan indigenous peoples as well as on the situation of the Chinese Landing Carib indigenous community in light of the medium-scale mining concession over their titled lands as part of its reply to the [list of issues prior to submission of the fifteenth and sixteenth periodic reports](#), overdue since November 2021. In addition to the information already provided, the Committee requests detailed and updated information on: (a) measures taken to investigate allegations of human rights violations and abuses, including threats and violence, against residents of the Chinese Landing indigenous

community by miners and by members of the Guyanese law enforcement; (b) the review process of the Amerindian Act of 2006 to ensure meaningful and effective consultation with Indigenous communities on any projects or legislative or administrative measures that may affect their land, territories and resources, with a view to obtaining their free, prior and informed consent; and (c) measures taken to conduct environmental and human rights impact assessments and effective and meaningful consultations with Indigenous communities before authorizing any economic, industrial or natural resource development projects that may affect their titled or untitled land, territories and resources.

Allow me, Excellency, to thank you for the information provided to date and to reiterate the wish of the Committee to continue to engage in a constructive dialogue with Guyana, with a view to ensuring the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Michal Balcerzak
Chair

Committee on the Elimination of Racial Discrimination