

TOOL 6

Impact avoidance and mitigation

“Do no harm” is a fundamental principle of engaging with all communities, not just indigenous communities. However, Indigenous Peoples may be particularly at risk because they have historically been discriminated against and dispossessed of their land, and continue to be disadvantaged relative to most other sections of society. They are also likely to be more vulnerable to negative impacts from developments, particularly those that adversely impact culture and natural resources.

This tool provides good practice guidance aimed at helping companies avoid and/or mitigate the negative impacts of mining projects on Indigenous Peoples. The tool is presented as a series of steps that deal with the key impact areas associated with mining in indigenous territories.

Basic principles of impact mitigation

While companies cannot always predict or fully mitigate the full impact of a project, there are some basic principles that can help guide them to reduce the scale of a negative impact and enhance the likelihood of positive long-term outcomes for communities. When trying to mitigate potential impacts, companies should consider the following basic guiding principles:

- Strategies, processes and actions should be underpinned and informed by the local knowledge of impacted communities and groups.
- It is essential that there is input, support for and participation of Indigenous Peoples when identifying issues, and framing and implementing responses.
- Potential problems can be avoided at the outset if companies adequately identify impacts, and plan and design projects to avoid them (eg planning a road so that it goes around a community rather than through it).
- Attention to implementation is critical, and all strategies should be underpinned by action plans that specify what needs to be done, by whom and how.
- Ongoing monitoring and regular evaluation is required, which needs to be relevant to Indigenous Peoples and their concerns.

STEP 1

Undertake baseline studies and impact assessments

Undertaking a baseline study and impact assessment (including environmental, social, health and human rights³⁸ impact assessments) is the starting point for determining whether impacts exist and for avoiding and mitigating impacts on any community (irrespective of whether or not Indigenous Peoples are involved).

As outlined in **TOOL 8**, baseline studies seek to document the state of a community and/or the environment prior to the commencement of significant project activity. Social and environmental impact assessments use information from baseline studies and other sources to make predictions about how communities, individuals and the receiving environment may be affected by a project. These impacts can be planned or unplanned, positive or negative, depending on when and where the impact occurs and how it is experienced. Impact assessments also typically seek to identify measures that can be taken to avoid or mitigate undesired impacts and/or enhance desired outcomes. Such measures are usually included in management plans (eg social management plans). A number of international development institutions such as the IFC require companies or governments to develop an Indigenous Peoples Plan (IPP) as a condition of lending.³⁹

³⁸ Human rights impact assessments recognize the underlying rights of communities and the duties of a company to respect those rights. For further guidance refer to IFC, *Guide to human rights impact assessment and management (HRIAM)*, Washington, DC, IFC, 2010.

³⁹ The IFC Performance Standards, Guidance Note 7 Indigenous Peoples provides some suggestions for the contents of an Indigenous Peoples' Plan.