

关注矿业、社区与原住民以及林地问题

Attach high importance to Mining Industry, Community, Indigenous Peoples and Forestry Land

——以刚果（金）、赞比亚、巴布亚新几内亚和印度尼西亚等四个热带国家企业项目为案例

——Mining and LCIPs¹ in Forest in Tropical Countries: Case Studies in DRC, Zambia, PNG and Indonesia

兴趣小组成员

招募邀请函

Invitation letter of interest group

围炉畅谈 思维碰撞 头脑风暴 高人解答

Open up freely

Mind-Sparking Collisions

Brainstorming Blitz

Mastermind Solutions

¹LCIPs 全称是 Local Communities and Indigenous Peoples。



为什么要组建社区与原住民问题兴趣小组？

Why form a community and indigenous peoples' issues interest group?

根据联合国统计，世界上共有约 3.7 亿至 4.8 亿土著居民或原住民，他们生活在约 90 个国家，分布在世界上除南极洲以外的每个有人居住的气候区和大陆，占全球人口将近 5%，占世界贫困人口人口的 15% 左右。

According to UN statistics, there are approximately 370 million to 480 million indigenous peoples living in about 90 countries, spread across every inhabited climate zone and continent except Antarctica, accounting for nearly 5% of the global population and about 15% of the world's poor.

矿产资源常位于土著居民或者原住民的法定或习惯权属土地范围内，矿产资源的开发利用过程中不得不面对和回应如何处理与土著居民或原住民的关系及其资源权属的问题，特别是在复杂国情下，例如国家治理薄弱、政府人口普查能力和监测能力有限、经济落后和贫困、土地私有、腐败流行等。从全球范围来看，如果矿业企业无法寻找与原住民和谐共存共处的策略和方法，其投资和运营将面临很大的不确定性。这些不确定性及其负面影响表现为：

Mineral resources are often located within the statutory or customary land rights of indigenous peoples. During the development and utilization of these resources, it is

imperative to address and respond to the relationships with indigenous peoples and their rights to these resources. Especially in complex national contexts, such as weak governance, limited government census and monitoring capabilities, economic backwardness and poverty, private land ownership, and prevalent corruption, globally, if mining companies fail to find strategies and methods to coexist with indigenous peoples, their investments and operations often carry significant uncertainty. These uncertainties and their negative impacts manifest as:

法律风险：在立法完善和有效执法的国家/地区，如果被发现与侵犯原住民权利共谋的公司可能会面临严重的法律后果。未能充分遵守与原住民群体协商的标准可能会带来诉讼风险。如果与严重虐待原住民群体和环境退化有关，法律风险会进一步加剧。

Legal Risks: In countries/regions with robust legislation and effective law enforcement, companies found to be complicit in violating the rights of indigenous peoples may face severe legal consequences. Failure to fully comply with standards for consultation with indigenous communities can lead to litigation risks. If associated with serious abuses against indigenous communities and environmental degradation, the legal risks are further exacerbated.

运营风险：参与的项目未能充分解决原住民不满的公司可能会面临封锁或其他形式的抵制形式的运营中断。例如原住民社区领导封锁道路或大门导致工人无法进入工作场所、原住民激进主义运动导致采矿活动停止，迫使高级管理人员辞职息事宁人等。

Operational risks: Companies involved in projects that fail to adequately address the grievances of indigenous peoples may face operational disruptions in the form of blockades or other forms of resistance. For instance, indigenous community leaders blocking roads or gates, preventing workers from accessing their workplaces, or indigenous activism halting mining activities and forcing senior management to resign in an attempt to appease the situation.

声誉和品牌风险：如果发现公司与侵犯原住民权利的事件有关，公司可能面临声誉损害。原住民团体和公民社会团体（NGO）常以“企业共谋侵犯人权”为由并将企业置于聚光灯下，这通常会导致严重的声誉后果、负面媒体报道和品牌受损，使企业在市场竞争中处于不利地位。

Reputation and Brand Risks: If a company is found to be associated with incidents that infringe upon the rights of indigenous peoples, it may face reputational damage. Indigenous groups and Non-Governmental Organization (NGOs), frequently spotlight

companies under the pretext of "corporate complicity in human rights abuses," which can lead to severe reputational consequences, negative media coverage, and brand damage, putting the company at a competitive disadvantage in the market.

财务风险: 与社区和原住民权益相关的负面报道可能会导致来自股东或投资者的压力。投资者和金融行业越来越多地将环境、社会和治理 (ESG) 标准应用于其决策, 其撤资和/或回避可能会导致矿业企业获得金融支持的机会减少或成本更高。

Financial Risks: Negative publicity related to community and indigenous peoples' rights can lead to pressure from shareholders or investors. Investors and the financial industry are increasingly applying Environmental, Social, and Governance (ESG) criteria to their decision-making, and their divestment and/or avoidance can lead to reduced opportunities for financial support or higher costs for mining companies.

在多年走访矿业企业的过程中, 琏德咨询常有机会与从事社区关系的负责同事深入交流, 这些负责人时常表达出这项工作的艰巨性和复杂性所带来的压力, 也时而透露出在实践中失败的教训常多于成功经验的无奈。社区和原住民问题对矿业企业的影响是深刻的, 重视并有效处理社区和原住民问题已成为矿业企业维持正常经营、实现可持续发展的关键所在。

During years of visiting mining companies, Landscape Consulting often enjoys the opportunity to engage in in-depth conversations with colleagues responsible for community relations. These responsible individuals frequently express the pressure stemming from the arduous and complex nature of their work, and occasionally reveal the frustration that lessons learned from failures in practice often outweigh successful experiences. The impact of community and indigenous peoples' issues on mining companies is profound, and addressing these issues with high attention and effectiveness has become pivotal to mining companies to maintain normal operations and achieve sustainable development.

在上述背景下, 我们希望针对 **“矿业企业社区与原住民问题”** 组建兴趣小组。

诚邀您的参与!

In the above context, we wish a interest group targeted "Mining Industry, Community, Indigenous Peoples" issues.

We sincerely invite your participation!

社区与原住民问题兴趣小组都有谁?

Who compose the community and indigenous peoples' issues interest group?

- 矿业企业代表 (每个企业可推荐 1-2 名社区关系或者社会责任项目的负责人、骨干员工参与)
- 珽德咨询社区问题技术顾问
- Mining company representatives (each company may recommend 1-2 individuals in charge of community relations or key employees involved in social responsibility projects to participate).
- Technical adviser on community issues from Landscape Consulting

兴趣小组在一起讨论什么?

What will be discussed about in the interest group?

兴趣小组将重点结合位于非洲、亚洲和大洋洲的四个国家的企业现实案例，深度剖析案例中错综复杂的制度背景、管理方法、实践经验、历史教训和有效经验。四个企业案例包括：

The interest group will focus on combining real-case scenarios from companies in four countries located in Africa, Asia, and Oceania, conducting an in-depth analysis of the intricate institutional backgrounds, management methods, practical experiences, historical lessons, and effective experiences within these cases. The four corporate case studies include:

- 赞比亚某矿山：如何遵守投资前所签署的社区协议并指导当下开展工作？当地人在维护社区关系中能发挥哪些作用？如何将企业实践升华为国家标准？

A mine in Zambia: How to comply with the community agreements signed before investment and guide current operations? What roles can local people play in maintaining community relations? How to elevate corporate practices to national standards?

- 刚果金某矿山：当腐败可能成为系统性风险时，矿业企业如何利用好社区基金，并在其过程中妥善处理与政府和社区的关系？

A mine in the Democratic Republic of the Congo (DRC): How can mining companies effectively utilize community funds while properly managing their relationships with the government and the community in the process when corruption may pose a systemic risk?

- 巴布亚新几内亚某矿山：土地私有制背景下，矿业企业如何征地以及如何开展移民安置工

作? 如何通过以社区发展协议为载体设计和实施社区关系项目?

A mine in Papua New Guinea: How can mining companies acquire land under the backdrop of private land ownership and carry out resettlement work? How to design and implement community relations projects through Community Development Agreements?

- 印度尼西亚某矿山: 在政府治理存在薄弱环节时, 矿业企业如何看待和应对矿权内的原住民问题? 如何界定“自愿与世隔离”的原住民? 如何与其他原住民开展基于自由事先知情同意原则的磋商工作?

A mine in Indonesia: How do mining companies view and address indigenous issues within their mining rights when there are weaknesses in government governance? How to define "voluntarily isolated" indigenous peoples? How to conduct consultations with other indigenous peoples based on the principle of free, prior, and informed consent?

兴趣小组成员如何分工?

The roles and works of team members

琏德咨询技术顾问将和参与兴趣小组的矿业公司代表一起梳理整理案例, 琏德技术顾问将主要负责介绍联合国、矿业行业、金融机构等制定的国际法和标准规则、有关社区和原住民问题的历史由来和当前趋向, 企业参与代表则负责梳理和介绍企业案例或提供相关资料, 以及参与讨论。Landscape Consulting's technical advisors will work with members of the mining companies participating in the interest group to sort and organize case studies. The Landscape Consulting technical advisors will primarily be responsible for introducing international laws and standard rules established by the United Nations, the mining industry, financial institutions, and others, as well as the historical origins and current trends related to community and indigenous issues. Representatives from the companies will be responsible for sorting and introducing corporate cases or providing relevant materials, as well as participating in discussions.

兴趣小组活动内容与形式?

How does the interest group discuss issues?

社区与原住民问题兴趣小组将邀请成员**定期开展线上头脑风暴,围绕4个国家的真实案例、按照不同主题进行双边或者集体探讨交流(活动前期将通过沟通与调研确定)。首次头脑风暴讨论会计划于2025年4月线上开展。**

兴趣小组将在2025年12月形成四个国家案例的概要文件(Country Factsheet),文件不涉及参与企业的任何商业机密。

The Community and Indigenous Peoples' Issues Interest Group will invite members to regularly conduct online brainstorming blitz, focusing on real-case scenarios from four countries and discussing and exchanging ideas on different themes either bilaterally or collectively (will be determined through communication and research in the early stage). The first brainstorming blitz is planned to be held online in April 2025.

The Interest Group aims to compile a Country Factsheet for the four countries by December 2025. The document will not involve any business secrets of the participating companies.

兴趣小组成员的收获是什么?

What can group members learn?

- 加入兴趣社群,了解学习其他矿业企业在处理类似问题的经验和技巧,夯实业务能力;
Join the interest community to learn from the experiences and skills of other mining companies in dealing with similar issues, thereby solidifying business capabilities;
- 学习了解国际有关社区问题和原住民的核心标准规则要点,开拓国际视野;
Learn and understand the core standards and key points related to community issues and indigenous peoples internationally, to broaden international perspectives;
- 掌握在社区关系和原住民领域的国际前沿趋向和最新动态,培育前瞻意识;
Stay informed of the international frontier trends and the latest news in the fields of community relations and indigenous peoples, and cultivate a forward-looking mindset.
- 聆听世界一流社区与原住民专家、国际矿业标准技术专家的观点,提高技术水平。
Absorb the views of world-class community and indigenous experts, as well as international mining standard technical experts, to enhance technical skills.

参与兴趣小组的费用是多少?

How much will cost joining the interest group?

免费。

Free.

本着兴趣引导、沙龙交流、共同探索的目的，琏德咨询不收取任何费用。琏德咨询将承担邀请国际一流专家分享指导的专家差旅费。

我们鼓励企业人员共同分担背景研究、案例梳理等工作，在此情况下琏德咨询将向参与人员发放一定奖励资金。

With the aim of interest-driven guidance, salon-style exchanges, and joint exploration, Landscape Consulting will not charge any fees. Landscape Consulting will cover the travel expenses for inviting top international experts to share and provide guidance.

We encourage company personnel to share the workload of background research and case organization. In this case, Landscape Consulting will distribute a certain amount of reward funds to participating individuals.

欢迎您在 2025 年 1 月 30 日之前报名，报名可联系：

You are welcome to register before January 30, 2025. For registration, please contact:

社区与原住民问题兴趣小组

The community and indigenous peoples' issues interest group

组长：罗纶 联系方式：ll@liandeconsulting.com

副组长：赵嘉玮 联系方式：zjw@liandeconsulting.com

Group leader: Luo Lun Contact Information: ll@liandeconsulting.com

Deputy group leader: Zhao Jiawei Contact Information: zjw@liandeconsulting.com