

Communique of the 11th Alternative Mining Indaba



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Preamble:

- 1.1. We, the over 400 delegates at the 11th Alternative Mining Indaba (AMI) drawn from 33 countries and comprising representatives of civil society organisations, community members, faith-based organizations (FBOs), traditional leaders; local government leaders, trade unions, media, academia, researchers, including representatives from industry gathered in Woodstock, Cape Town from the 3rd to the 5th of February, 2020;
- 1.2. Converged under the umbrella of Alternative Mining Indaba under the theme: ***Environmentally and economically sustainable mineral economies in an era of climate change catastrophe***. Our deliberations focused on the environmental damage and climate change induced impacts by extractive operations;
- 1.3. We meet at a time of a deep-climate change threats not only in Africa but throughout the world characterised by droughts, flooding, energy and health crises, among others, that could have been prevented. Whilst corporations, particularly mining companies and those in the extractives and elites in general continue as business as usual, the poor communities are left to carry the burden;
- 1.4. **Noting this and committing** to implement the previous AMI Resolutions and Recommendations on, **among others**, fiscal regime and revenue management, environment, artisanal & small-scale mining & social protection, linkages, investments and diversification, legal and institutional management

We are cognisant that:

- 2.1. Sustainable Development Goals 13, 14 and 15 emphasise the importance of a “global response to climate change that ensures conservative and sustainable use of the oceans, seas and marine resources for sustainable development” including “protection of terrestrial ecosystems”;
- 2.2. That mining is undertaken through the business/ capitalist model that does not respect social/ economic and environmental rights. The current extractive model is an illogical business model whose primary focus is to extract with impunity and maximise profits while paying little attention to environmental issues. Neoliberal capital emphasis on profits has led to an increase in wealth and inequalities across Africa. As a result, poverty among mining affected communities continues to escalate at the same time, communities have to grapple with the deleterious effects of climate change.
- 2.3 We call on governments to deliberately design fiscal policies, social transfer programs and other models for redistribution of wealth from the extractive industry in order to manage expectations, bridge extractive driven inequalities and eradicate poverty, and deprivation in mineral rich countries. In addition, we demand that community benefit sharing schemes in the extractive sector be multifaceted and strengthened through mineral revenue sharing, relevant social infrastructure to boost rural economic activities and promote employment and entrepreneurship.
- 2.4 While Artisanal and small-scale mining are often criminalised by those who are extracting wealth from our countries with impunity, it is a sector that is sustaining livelihoods and need to be recognised and supported;
- 2.5. Communities are carrying the costs of environmental damages caused by mining corporates although they are not the major polluters of these environmental disasters. The extraction of mineral resources in Africa has not benefitted Africans but the elites in the global north and the emerging economies like China and India.
- 2.6. The ongoing extraction of minerals, biodiversity and knowledge from our continent, and the effects of climate change are taking place together with a legacy of massive social and health debt that cannot be ignored and must be addressed in any framing of a just transition;
- 2.7. Public health rights and the right to life supersede all other claims. They have been won through social struggle and are a source of social power and organization for alternatives to the current unhealthy mode of extraction and production;
- 2.8. Active and engaged African citizenry demands an inclusive democracy and freedoms. Where these do not exist we urgently demand legal reforms; transparency and accountability as well as responsible supply chains in the mining sector that benefit all now and future generations;
- 2.9. We believe that justice for mining affected communities and the planet, is not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and sustainable economy. We accordingly call on those who pollute and damage water, air

plant and human life through irresponsible disposal of waste materials be held accountable and prosecuted.

- 2.10. The systemic and structural violence in and associated with the extractive sectors has been exacerbated by the growing of private and state security agencies and the military operating that has resulted in loss of lives and deficits in the democratic life of African citizens.
- 2.11. Together, communities, activities, civil society, trade unions, churches, NGOs, the youth, women and children are going to look outside of the current economic model in search of alternatives. We are building a coalition across the organisations of workers, ex mineworkers, communities, civil society and progressive institutions to engage; research; share information, tools, resources and capacities; to raise awareness and to organize to advance the health rights of current and future generations in relation to extractives.

Now, therefore, we recommend that:

- 3.1. The right to life and to health for current and future generations must be central in whatever laws, policies and practices we design and implement. Health cannot be left to voluntary corporate social responsibility. We must have the rights and duties for health in our laws. We cannot have a situation where some countries have weaker laws than others, so we must ensure our regional communities (SADC, EAC, ECOWAS, AU) set harmonized legislative, administrative and policy standards on health that should be met in all countries, and that they set and enforce these standards with the involvement of trade unions, civil society, ex mineworkers and affected communities;
- 3.2. The legacy of past liabilities cannot be forgotten as the TB/Silicosis class action reveals to us. Industry must provide fair compensation for the ex-mine workers and communities whose health has been damaged by mining in our region and include them in any discussion of how this is to be done. Furthermore, there is need to establish and protect the rights of mineworkers, including calling on governments to ratify and domesticate Convention 176 on Occupational Health and Safety in the mines, while ensuring workers in the mines are protected from violence at work, through the ratification of Convention 190, especially female workers who are most vulnerable to violence at work in the mining sector.
- 3.3. In any mining sector we demand that social, health and environmental impact assessment be inclusive of the poor and working people and not only the corporate officials. These assessment must include the health risks and prevention plans for those living around mines, for displaced communities, for communities down transport routes and for post closure duties. The health impact assessment reports and plans should be made publicly available and the plans implemented and monitored;
- 3.4. While exercising caution and safeguarding the rights of mining communities and workers, to promote the harmonization of standard guidelines for enhancing responsible mining through independent, objective institutions such as the IRMA. This must be complemented by developing civic actors' capacities and competencies to participate beyond the development of such tools and standards, to ensuring they are

able to participate in the assessment processes, to demand that assessment reports are made public, and advocate for the standards to be accompanied by sufficient mechanisms for corrective measures and compensation.

- 3.5 We denounce endemic violence which is at times enforced by the military in the extractive sector and further, call for the mining companies to eliminate violence and deaths related to the corporate capitalist business model;
- 3.6. The need to reduce our consumption of extractive resources and also to stop use of fossil fuels as the carbon levels continue to increase. Companies and governments should shift subsidies from fossil fuels and invest in 'clean energy' which have a huge potential to create jobs.
- 3.7. Children are victims of the abuses of mining and extractive sectors and we call on government to establish specialised agencies that deal exclusively with these violations of their fundamental rights. Social safety nets must provide support for vulnerable children particularly those from the rural areas.
- 3.8 Artisanal small-scale mining contributes to the livelihoods of millions of Africans. As such, we affirm that this right must be recognised in laws and policies of countries and must not be criminalised. This includes strengthening ASM rights to: access and ownership of mining rights, a decent work framework aimed at ensuring fair beneficiation along the value chain, access to social protection and safety nets and decent working conditions.
- 3.9. Gender justice, equity and equality must shape policies and legislation protecting women in the mines and the women in the greater miner communities. There must be an acknowledgment and response to the "double burden" placed on women, who are especially left vulnerable as a result of social and environmental effects of mining;
- 3.10. As primary food producers, women must be included in the discussions and decision making processes between mining companies and communities with regards to access, ownership and use of land and water;
- 3.11. There is need for Partnership Reviews including Peer Review Mechanisms that include government, business and communities. Accordingly, there is a need to ensure that trust, solidarity, partnerships, strategic alliances, coordination and collaborative efforts among key non-state civic actors, are established and strengthened, to ensure effective engagement with government and mining companies. This includes the implementation of social engagement and dialogue among these actors, beyond the space provided within the AMI annual event
- 3.12. Most extractive companies comply with legislations but those that are not helpful to communities. They must be consistent with principles, policies and tax issues and on that note, Carbon tax should be introduced as a mitigating factor and to safeguard communities from further health and environmental damage. Mine hosting communities pay with their health yet everyone benefits from the tax from mining companies.

3.13. We call on our governments to establish or strengthen the office/s of the Ombud where they do exist. Efficient and effective Ombud offices are well resourced, independent and act without fear or favour in tackling the ills of the sector.

Conclusion

- 4.1. We need to craft a political economy that does not generate such natural resource devastation, that embeds and does not externalise the costs of social development and health and public sector obligations within extractive activities. Mining companies should not be given tax exemptions for their contribution to social development and services. These tax contributions should reach and benefit local communities.
- 4.2. We will as movements, NGOs and those communities adversely affected and impacted by the extractives sector in general unite through the building of collective action and commit ourselves to work together with all who cherish the values of freedom, solidarity and liberation.

Signed:

Date: 05 February 2020

AMI Chairperson

AMI Secretariat

On behalf of the 400 members of the Alternative Mining Indaba
