



ZIMBABWE ALTERNATIVE MINING INDABA

4 October - 8 October 2021, Holiday Inn, Bulawayo, Zimbabwe

Preamble:

- 1.1. We, the Zimbabwe Coalition and Debt and Development (ZIMCODD), Zimbabwe Environmental Law Association (ZELA) and Zimbabwe Council of Churches (ZCC) delegates having convened at Holiday Inn, Bulawayo from the 4th of October 2021 to the 8th of October 2021 for the 10th edition of Zimbabwe Alternative Mining Indaba (ZAMI) drawn from the 10 provinces of Zimbabwe comprising of representatives from Government, civil society organisations, community members, faith-based organizations (FBOs), traditional leaders; local government leaders, trade unions, media, academia and researchers under the theme, “*Development Speaks: Amplifying Community Voices for improved accountability and transparency in the natural resources’ governance in Zimbabwe.*”
- 1.2. This 10th edition of ZAMI came at a time when Environment, Social and Governance obligations of the mining sector are in the spotlight. A broad range of ESG issues like the impacts of mining on climate change, water use, labour rights, health, safety and corporate governance have become critical in the quest to ensure natural resource wealth delivers socio-economic justice and better outcomes for all. The calls for the Kimberley Process Certification Scheme to consider redefinition of ‘conflict diamonds’ to include diamonds extracted in areas where there are human rights violations evidences this global trend. In Zimbabwe this has been reflected in recent developments such as National Development Strategy 1, 12 billion Mining Strategy, 2022 budget strategy paper (BSP), amendment of Mining Act, adoption and implementation of the computerised cadastre.
- 1.3. Over the past 10 years, ZAMI has remained a pivotal annual advocacy and lobbying space dedicated to showing the importance of society and the environment to natural resource developers. The COVID-19 pandemic has made conspicuous the need for sustainable economic systems centred on resilient economic, physical and social infrastructure. Broad multi-stakeholder collaboration is fundamental to ensure natural resources help us achieve sustainable development goals in Zimbabwe.
- 1.4. However, we note more still needs to be done to improve natural resource governance as evidenced from the Ward Alternative Mining Indabas (WAMIs) District Alternative

Mining Indabas (DAMIs) and Provincial Alternative Mining Indabas (PAMIs) shows the following:

- Lack of meaningful consultations of communities during decision-making processes over natural resources
- Limited clarity of roles among local level institutions pertaining authority and power over devolution funds
- Outdated development plans in rural districts, rising allegations of abuse of workers by mining companies including foreign owned mining companies including, limited environment monitoring initiatives.
- Systemic exclusion of People With Disabilities especially in the mining sector. Therefore, deliberate efforts must be made to fully empower PWDs.

1.5. Poor governance, lack of transparency and accountability in the mineral sector and public finances remains a huge challenge as enshrined in the Auditor General's Reports while lack of transparency on Government contracts and deals with large scale investors continue fuelling corruption and inequality.

We are cognisant that:

- Zimbabwe through the National Development Strategy 1 (NDS1) has a target to reach a US\$12 billion mining economy by the year 2023, and as of 2021, the country is standing at US\$3,4 billion.
- There has been delays in the finalisation of the Mines and Minerals Amendment Bill which has stalled the implementation of mining reforms inclusive of the mining cadastre system, recognition of the artisanal and small-scale miners.
- Allegations on violation of human rights continue to mount against various mining companies and there is need for investors to respect human rights including economic, social, environmental, and cultural rights of communities.
- Zimbabwe's natural resources governance has been earmarked with corruption and lack of transparency. Thus, stakeholders are advocating for publication of contracts concluded between the government and foreign investors including
- Zimbabwe is a mineral resource-rich country boasting of over 40 minerals on global demand including gold, platinum, nickel, and diamonds among others. We believe that with proper public resources management, these minerals have the potential to transform the lives of the majority of Zimbabweans by creating employment for the citizenry as well as contributing to the fiscal purse to support socio-economic development.
- We have a responsibility to safeguard the environment, failure to do so will have negative impacts now and in the future. Failure to safeguard the environment is also a contravention of the Environment Management Act of 2002 as well as Section 73 of

the Constitution of Zimbabwe Amendment (No.20) Act, 2013 dealing with environmental rights. Some of these rights include the right to an environment that is not harmful to health or well-being; and to have the environment protected for the benefit of present and the future generations. Hence, the government must closely monitor the operations of mining companies including ensuring that environmental child rights are not violated.

Now, therefore, we recommend that the Government of Zimbabwe.

- Ensures sustainable extraction of resources in line with the United Nations Sustainable Development Goals (SDGs) number 11 (Sustainable Cities and Communities), 14 (Life below water), and 15 (Life on land). Mineral resources are finite and they must be extracted in a manner that ensures that future generations will also benefit from these God-given resources.
- Expedites the enactment of the Mines and Minerals Amendment Bill into an Act to address transparency and accountability risks and vulnerabilities associated with the archaic Mines and Minerals Act of 1961.
- Ensure that the proposed Mines and Minerals Amendment Bill is hinged on transparency and accountability along the mineral value chain. It should reflect the tenets of Africa Mining Vision of having a, “Transparent, equitable and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socio economic development.”
- Formalise and decriminalise the Artisanal and Small-Scale miners to optimise on their contribution to the economy. The formalisation of the sector should be coupled with incentives for players including People With Disability (PWD) to access mining claims and licenses at reasonable prices.
- Ensure that Zimbabwe develops a policy to guide investments in all sectors of the economy i.e disclose contracts including adopting open contracting in the extractives sector. A whistle-blower policy should also be developed that will ensure the protection of whistle-blowers.
- Incorporate into the mining contracts provisions that impose obligations on the mining companies to respect human rights and the highest standards of environmental, social and health protection consistent with the United Nations Guiding Principles on Human Rights. This creates the basis for mining communities to report wrongdoing and assure them prosecution of companies that violate human rights.

- The government should incentivize all mining companies to be listed on either the Victoria Falls Stock Exchange (VFX) or Zimbabwe Stock Exchange (ZSE) to enhance transparency, accountability, and participation of locals in these companies.
- Urgently consider the need to implement and join the Extractive Industries Transparency Initiative (EITI) or adopt a homegrown equivalent of the standard. This is key in promoting transparency and accountability in the management of mineral revenue.
- Desist from giving harmful tax incentives and abolish the indefinite carrying over of losses in the mining sector.
- Promoting the participation and Inclusion of people with disabilities.
- We, note with concern the rate the government is borrowing abroad through non-concessionary Resource-Backed Loans (RBLs) which are shrouded in secrecy. These RBLs have increased the appetite for borrowing by the government as shown by perpetual and massive growth in public debt over the years. This is in contravention of the Public Finance Management Act that advocates for transparency and accountability in the management of the country's debts.
- The government and relevant stakeholders need to promote the participation of youth by ensuring they are included and there is improved access particularly, through making conditions favourable for youths to access loan facilities, equipment, and mining claims. This should be implemented with the provision of mining education and technical support, particularly, for young women.
- Ensure People with disabilities are included in all processes, they must also be included within the mining sector by setting aside mining areas that do not have a prohibitive terrain for them.
- Desist from offering huge tax incentives in the form of tax exemptions, tax reductions, tax refunds & rebates, and tax credits to large foreign corporations. Most of these corporates especially, those in the mining sector are failing to offer meaningful Corporate Social Responsibility (CSR) initiatives such as the construction of roads, schools, and clinics despite the harm they are causing to the mining host communities.
- In the wildlife sector, there is need to repeal the current Parks and Wildlife Act and replace it with one aligned with the constitution.
- Make provisions to compensate communities that have dealt with the trauma of loss related to Human Wildlife Conflict (HWC). The intention should be reflected in the Wildlife policy.
- Effectively consult communities as they work on the various policy changes in the wildlife sector and or any other sectors.
- The Ministry of Mines needs to conduct regular trainings on safety issues. This will go a long way in reducing mining accidents. In the same vein, Government needs to set

aside a fund which can be utilised in the event of a mining disaster. This fund can be created through proceeds from the mining sector.

- The church has a role to play and should not be neutral in cases of resource manipulation.
- Come up with a gemstone policy to guide the producers and investors in the gemstone industry.
- Establish a Gemology Centre in Mashonaland West given that most of the gemstones are produced in Mashonaland West Province.
- Support women to actively participate in the cutting and polishing of gemstones mined in Zimbabwe. This will create more jobs and wealth for the country.
- Government departments CSOs need to work together to address the challenges faced by women miners in the gemstone sector and other sectors.
- Government should decriminalize the trading of gemstones so that precious stones are traded through the formal market. This in turn will curb the smuggling and leakages of gemstones to other countries.
- In the climate change front, Civil Society Organisations should work closely with the Government in pushing for the development of a climate change law including ensuring that communities are conscientized on how to effectively participate in the development of such laws.
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Conclusion

Given Zimbabwe's vast mineral resource endowments, if judiciously exploited they can lead to sustainable socio-economic growth, industrialization, job creation, and investment in human development projects – health and education.

Signed:

Date: 08 October 2021