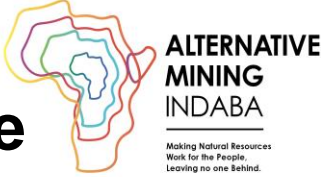




AMI 2023 Final Communiqué



14th Edition of the Alternative Mining Indaba (AMI)


7-9 February 2023 | UCT Graduate School of Business Conference Center, Waterfront, Cape Town, South Africa

A just energy transition: Unlocking Community Potential and Participation

1. **Preamble**

We, the 452 in-person and delegates comprising community and environmental activists as well as supporting civil society organisations (CSOs), trade unions, researchers, organic intellectuals, members of the media convened our 14th Edition of the Alternative Mining Indaba (AMI) from the 7th to the 9th of February 2023, in Cape Town. Building up from the 13th edition and in pursuit of a fair energy transition, our overarching theme: “***A just energy transition: Unlocking Community Potential and Participation***” challenged communities to reclaim power and unlock potential as well as execute the mandate to hold business and government accountable.

A just energy transition (JET) demands an egalitarian society where no-one is rich or poor but has equal access to resources and opportunities to improve the living standards of communities. Integral to this, is the right to participate in critical decision-making in matters that affect our own lives. It follows that we will not wait for anyone to define the transition without us and the most marginal in our society. Putting into perspective the efforts to ensure the energy transition is “just” and is therefore, centred on the needs of communities – their



culture, diversity and leadership with a special bias towards children's and women's rights within the framework of community-led initiatives.

Unlocking community potential and participation demands power and the right that are contained in many of our national constitutions and international human rights laws and instruments. Human dignity, equal rights and participatory democracy is our primary call, not mere rhetoric about 'just energy transition' as if the existing asymmetrical power relations have been addressed. A just transition is not merely about accessing electricity or moving to alternative sources, but much deeper than this. It should be a total transformation of the status quo from provision of clean water, access to health care and total eradication of poverty.


The watch words are development not only for the people but with the people. We assert that there can be no progress for African communities impacted by mining without their participation in real and effective decision-making in our countries and international platforms. It is the first step towards eliminating poverty and inequality and the systems that cause marginalisation and social exclusion.


Equally critical are the rights of people to live in harmony with nature, based on their cultural and religious values by ensuring that natural resources governance benefits them, including their communities to realise socio-economic growth.

We strongly uphold our principle of people-centred approaches in all interventions of which women and children should be at the core. We remain adamant on our long-standing demand for meaningful community consultations and broad-based engagements as we also remind you ***"Nothing about us – without us"***.

What follows is essentially report backs from many of the workshops and activities held during our AMI 2023 sitting. We the delegates:


2. **NOTING THAT:**

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1. We are living in times of crisis (era of poly-crisis) and it has become relevant more than ever to bring mining corporations to account.
 2. Investment that does not take care of humanity, animal life and the wider ecology would not take us anywhere.
 3. That not much has changed for the poor and working people and that their resistance has continued. The major challenge of our times is to ensure that we address long standing structural and systemic problems as we attempt to address the urgency of the Just Energy Transition (JET).
 4. Historically, discrimination against women has resulted in their exclusion from formal economy. Thus women are located largely in precarious jobs and providing unpaid work, including unpaid care work in their homes and that of others and in institutions and corporations.
 5. To challenge these iniquitous structures and systems we need to explore and struggle for real alternatives. The need to rethink the value chain as opposed to mere rhetoric about benefit sharing; what is the value of minerals extracted from our land?
 6. The global rush for energy has meant that there is a demand for us to continue with corporate mining as usual, as genuine alternatives including investing in renewable energies remain heavily dependent on certain minerals. Thus the risks of mining and its impacts on people, planet and community wealth will not be seriously addressed.
 7. The capitalist financial crisis has deepened and multilateral institutions speculated that the situation will get worse in the near future!
 8. Energy transition for the community should be transformative and seek to achieve energy justice.

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9. People are dying of hunger due to the climate crisis caused by irresponsible mining practices.
 10. Africa has vast mineral wealth but remains behind in terms of accumulation, carbonisation, beneficiation and leadership around the just energy transition.

3. **DEEPLY CONCERNED THAT:**

1. There is renewed interest in Africa's natural resources. The continent is endowed with vast mineral wealth but remains behind in terms of reciprocity, accumulation and funding for mitigation to transition to a JET.
2. The notion of a JET may appear easy when looking at the economics but there are clear shortcomings from the social justice perspective
3. The issue of transition mineral resources is not new but this time around, it is more likely to increase human rights violations.
4. There are approximately 1.4 billion people on the African continent and are expected to decarbonise by 2050. The reality is that transitioning from fossil fuel is not easy as Africa is still very much dependent on carbon sources. The continent is at the centre of the global rhetoric to decarbonise but the central question is: what is Africa transitioning to? How do we negotiate leveraging our economic producer power as well as our political power?
5. Geopolitical competition, the race to the bottom and disproportionate power between those who captured the state and the broader society continue to haunt us.
6. Solutions to the ecological and climate change crises in which we are deeply entangled, are still driven from the top. The pressure to decarbonise as imposed globally, particularly by rich countries, could be harmful to Africa if the real




dividends for national contexts and the green economy is not forthcoming.

7. The ICMM's stated primary goal is to ensure responsible mining. Unfortunately, compliance by its affiliates is subjected to volunteerism and this has resulted in gross human rights violations with impunity. Furthermore, the engagement of the ICMM with the AMI still needs to reach sufficient trust levels, as each time we meet, promises are made to address the challenges but, in practice, atrocities continue unabated. How will ICMM ensure that its members do not repeat the same problems as was the case with previous mineral extractivism?
8. Moving from a carbon-dependent economy will lead to for example, jobs losses and black-outs. Communities that depend on the fossil fuels value chain will be the most affected. Therefore, an energy mix inclusive of thermal is more appropriate to mitigate climate change risks.
9. Child labour is rampant in many parts of Africa where mining takes place. Approximately, **40,000 children** are involved in cobalt mining in DRC and are exposed to high concentrations of lead which have resulted in gross environmental and reproductive health impacts on women and children.
10. During the time of our deliberations in Cape Town the President of South Africa pronounced relaxation of environment laws to open up for investment and clamp down on Zama-zama as opposed to regulating the sector. Yet, it is mining corporations that should be criminalised for ravaging our natural ecosystems and people's lives. This weakening of regulatory authorities and diminishing democratic space for mining communities and wider civil society is an African wide problem.

4. **RE-AFFIRMING** Our long-standing demands for:

1. A human-centred approach to achieving a just energy transition that would “**make natural resources work for the people**” and that which respects our core principle




of “**People First Not Profits**” to alleviate poverty among communities and improve the quality of life for all. The conversation on the just energy transition requires us to go back to re-think the purpose of God creation and our role in preserving the environment to ensure human beings are able to survive. For any investment that does not take care of humanity and dignity, would not get us anywhere. Justice and integrity are thus central to humanity.

2. The need to process our own minerals in Africa to promote value addition (beneficiation). At the same time, investors should channel their resources inwards not outwards. This would stimulate local economic growth and procurement. Most importantly, women should be included in the commodity value chain for economic empowerment.
3. We continue to demand that artisanal and small-scale mining (ASM) be recognised in law and not criminalised.
4. The long-standing call by trade unions for **upskilling, reskilling** and **dialogue** on the transition amongst others remain integral and appropriate steps to work towards a JET.


5. **Demanding:**

1. **Zero Harm to Children in Mining.** Perpetrators of child labour and human rights violations must be prosecuted. There is no just transition if children are exploited for their labour.
2. Work furthermore towards **Zero Harm to communities and workers.** There are over 6,000 derelict mines in South Africa. Rehabilitation of derelict mines and compensation for health impacts as a result of tailing dams are urgent. Efforts should be made in rehabilitation to push back on the deleterious impacts of the ecological




crisis. Technological innovation and lessons could be drawn from efforts by communities in Africa and elsewhere.

3. **ICMM should develop a comprehensive statutory framework** underpinned by clear penalties to enforce compliance, accountability and transparency among its affiliates. Instill compliance with standards that espouse responsible mining and post-mining rehabilitation to mitigate the negative impact of mining and advance human rights, where communities agree to mining. Mechanisms to ensure homogeneity in terms of compliance, transparency and accountability in various countries across the globe are needed.
4. **The facilitation of institutionalised, dynamic engagement platforms** that accommodate effective participation of key social partners in mining, especially communities.
5. We reiterate our demand for African solutions to the problems we confront daily and as we organise for a JET. Human centred development means putting Africans as the main beneficiaries in the JET.
6. That the government and mining corporations respect the communities **“Right to say NO”** to mining. It goes without saying that communities must be involved in a genuine adherence Free Prior Informed Consent (FPIC) principles which we believe equality real participation in decision-making. In addition, we insist that indigenous knowledge systems must be affirmed as part of the solutions to the multiple crises we face. Whilst our livelihood is priceless, we need a befitting measure of the costs should there be resettlement. However, it is not about financial benefits but respect for cultural values and way of life. For example, communities depend on organic food and herbs grown on their own land for resilience to disease.
7. **Harnessing community voices and respecting community organising strategies.** Stop criminalising community activists. Strategic litigations (also known as Strategic Lawsuits Against Public Participation or SLAPP suits) brought against ALL activists who speak truth to power in all sectors, the environment, media, land and mining activists. These are usually brought against activists by powerful corporations to limit activists' demands for transparency and accountability. The impact of SLAPPs



is to divert activists' energies and resources to defending their rights and not addressing the core mandates. It is with this in mind that the AMI must support the efforts to form a continental network against SLAPP suits.

8. **Reparations and Compensation** from the private sector for Occupational Health and Safety (OHS) suffered by communities must be urgently acted upon. Many miners who have claims against the corporations in recent settlements (silicosis) have not yet been contacted.
9. Artisanal miners and mine workers in the formal economy have a right safe and secure working environment. The private sector must ensure reparations where damage has been experienced by miners, especially women.
10. **Gender-based violence (GBV)** is pervasive in the mining industry and among mining affected communities. Mining enterprises need to be cognizant of structural gender imbalances, inherent in mining economies. The skewed gender relations responsible for toxic masculinity require urgent transformation. A JET should take into account the gender lens, as well as acknowledge geopolitical disparities and national contexts. As women affected by mining, we demand a real and serious engagement with the ICMM and its members on women specific issues related to the JET.
11. **A JET must be characterised by equity** and governments should support young people as key personnel for the green economy explorations. The JET is incomplete without gender justice and the youth voice.
12. **Clear strategies building on existing policies.** The African Union (AU) through the African Mineral Centre should provide technical support to member states in developing clear strategies to climate change and green recovery strategy. In the same vein, African governments should put in place clear compliance frameworks and communication strategies to safeguard the critical transition minerals such as lithium and cobalt.
13. **It is imperative the AU accelerates the adoption of the Africa Mining Vision (AMV)** at national level to ensure local beneficiation and to protect, respect and




advance the human and economic rights of communities. This AMV is but a minimal programme to arrest the process of corporate extractivism on the continent.

14. With regards to transition minerals such as lithium, cobalt, and others, African governments should promote regional trade co-operation, harmonisation and ratification of relevant international and regional instruments with regards to mining of natural resources and the JET.

15. On Tailings facilities: Urgent action be taken to address the structural and systemic failures around tailings management. The session on the impacts of mining and extractivism took place on 25 January 2019 when Dam I, a tailings dam at the Córrego do Feijão iron ore mine, 9 kilometres (5.6 mi) east of Brumadinho. The dam was owned by Vale and the dam experienced a similar disaster in 2015 at Mariana dam disaster. This disaster resulted in the death of over 270 as a result of the collapse, of whom 259 were officially confirmed dead, in January 2019, and 11 others reported as missing, whose bodies had not been found”.

It would appear that these lessons were not learnt by corporations as we have experienced many such disasters subsequently in particular those in Catoca mine, Saurimo, Lunda Sul, in Angola (2021) Williamson Mine, Mwadui Lohumbo, Kishapu District, Shinyanga Province, Tanzania (2022); Zululand Anthracite Colliery (2020), and Jagersfontein, South Africa (2022). These destroy lives of all life, human and animal and the wider ecology as well as livelihoods.


Given that there are close to 30 000 tailings facilities worldwide the need for action is more urgent now than ever. We remain convinced that these types of accidents will occur especially if there is no united and inclusive societal action. tailings, especially those poorly managed or not managed drain human and energy resources and exacerbate climate change and increased poverty and inequality of the most marginalised. It is for this reason that we believe that the current industry standards, the Global Industry Standard on Tailings Management released in 2020, coordinated



by the ICMM do not go far enough to adequately protect communities and ecosystems from failures. Nothing about us without us, remains our rallying call and this applies to all matters of life, safety and death.

6. **Committing ourselves to;**

1. Roll out a multi-country **ZERO Children in Mining Campaign** to raise awareness on child labour and the health impacts through collaboration
2. Develop a clear advocacy strategy including public awareness raising programmes on the rights of children aimed at advancing the right to education.
3. Call for the ratification and domestication of the International Labour Convention 176 on Occupational Health and Safety that includes everyone that works in the mining industry – both informally and formally.
4. Support youth activism which results in participation in shaping policy to enhance the green economy. Youth to be actively involved in political processes and ensure that resources are channeled towards creating green jobs.
5. Pressure our national governments and business to implement the AMV and to apply all JET principles at all levels.
6. Continue to lobby and advocate for compliance and implementation of regional frameworks for the benefit of communities where mining happens. Also, establish a transnational global solidarity network to advance environmental struggles and also collaborate on the JET that we want!
7. Conduct multi-country Gender Impact Assessments of the JET and establish a women exclusive space to exchange and cross-pollinate ideas.
8. Conduct multi-country community impact assessments based on responsible mining standards.


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9. Commit to deepen the work on developing literacy and action programmes on tailings facilities beginning with the popularising the CSO report Safety First - Guidelines for Responsible Mine Tailings Management V2.0 MAY 2022
 10. Supporting the formation of a continental wide working group on tailings facilities would be a good way of harnessing the best energies of activists who can team up with our international allies in other continents.
 11. Support CSOs, trade unions and progressive partners to build capacity of communities in monitoring the mining of minerals in their communities. This includes imparting knowledge in social corporate responsibilities, benefit sharing, community share ownership trusts, advancing policies and engaging the private sector on matters that require critical decision-making.

7. Conclusion

The AMI will remain the key alternative to the global corporate indabas on mining and extractivism. We are relentless in our quest to bring about the change we want to ensure meaningful and robust struggles and engagements towards a just energy transition and transparent mineral resource governance.

It starts with but does not end with the realisation by power holders that we are all human imbued with equal rights and human dignity. Those who hold power must start by ensuring that mining affected communities have a legal and democratic right to say NO to Mining, as well the participate in decision-making in matters that affect our own lives. **Nothing About Us Without Us!**

We will seek more solution-oriented strategies to ensure community representation and participation in decision-making at all levels in our respective national contexts. No-one has a solution but Africa stands a better position and strength for bargaining and negotiating for the benefit of people. We need our own strategy as Africa on how to transition and to centre those who are directly affected. Energy transition for communities should be for energy



justice for all and guided by the principle of “**People First Not Profits**”. The Climate crisis is real and is ‘**silent killer**’ as it must be factored into all our work consistently. More work is required to ensure that the many international conventions and decorations have meaning on the ground.

The time to act is now, not later.