

Thematic social forum on mining 2023

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Indonesia

Video

<https://vimeo.com/tsfmining?fbclid=IwAR3HosELHIQQDomAZ3L9qy5xnnkGaer2WTKh5R8mgR7P6vAYZm-0SksKCLY>

Thematic social forum on mining: concept note



As building blocks to strengthen its international solidarity and advocacy, TSF-Mining 2023 will use the “Right to Say No” and the “Nexus of Climate Justice, Just Transition and Extractives” as its main themes.

Extractivism and Mining

Extractivism is a mode of capital accumulation that has integrated gas, oil and minerals mining, fishing, agriculture and forestry; it is happening across the globe, both in the North and the South, relying on unsustainable modes of consumption with ever-increasing demand for goods.

Extractivism has destroyed previous modes of production with millions of people being deprived of land and water and of their modes of subsistence. Usually, these become criminalised while survival for the dispossessed often means engaging in system-defined “illegal and criminal” activities (gangsterism, drug dealing, prostitution, military conflicts, and “illegal” logging and mining, the products of which are often then bought by Multi-national Corporations (MNC).

Countries in Latin America and elsewhere have undergone de-industrialisation as they cannot compete with cheap imports from South East Asia and as a result of

relationships with China. The only fields in which South countries have competitive advantage are natural resources and thus extractivism has been seen by South governments (whether left or right-wing) as the only path to finance development policies and projects, regardless of the socio and environmental consequences. They also make people believe that there is no other alternative towards “development”.

We are facing a crisis of a civilisation that is destroying life itself, based on the logic of permanent accumulation: there is a contradiction between the reproduction of capital and the reproduction of life.

There are also other (extractivism and our) contradictions. China, for instance, cannot go on forever extracting and producing at the same rate as workers’ resistance and the power of trade unions is likely to increase. We will also still need mining (e.g. metals to make solar panels) for alternatives.

Extractivism has to be fought in different ways: Local territorial resistance and by reclaiming our concepts, concepts that were part of the ‘old left’ – de-globalisation, de-linking, self-sufficiency (at local, regional and national levels), etc.

In the current “development” path, our governments destroy the livelihoods of those whose “development” they want to promote. Why is this happening, even when governments can see that extractivism is not leading to feasible economic solutions?

Both the ANC in SA and the PT in Brazil, for instance – brought to power through years of mobilisation and pressure from peoples' movements – act the same way. Corporate co-optation and capture of leaders and elites seem to provide some of the answers. Corporates also destabilise labour and social counter-formations.

One of the challenges for social movements and the left is to (re)define ‘development’ and “development for whom”.

This is a very complex process of how capital organises itself, which involves many different sectors and actors and is subject to price booms and falls (banks and international finance institutions are involved in financing and shaping technology, industry, railways, shipping, pipelines, markets, financial markets, etc.).

Mining also involves different legal instruments in conceding mining licences, the appropriation of land, water and the environment and the transfer of property rights as local populations are dispossessed. Mining also has a conflictual link to the environment and a supremacy of underground over aboveground. There is also a capture of the logic of transforming raw materials into manufactured goods as a path to growth and development.

The global capitalist crisis is leading to the restructuring of the mining sector, with mine closures and increasing unemployment.

We need to take all this into consideration when we think of alternatives and approaches and when discussing

concepts such as sustainability, the environment, humans, social justice and the earth as having life in itself.

Nexus of Climate Justice, Just Transition and Extractives

Mining corporations are collaborating with institutions and governments to aggressively market their destructive and socially unjust activities as solutions to the climate emergency under such terms as “climate mining” and “green” extractivism.

Governments, International Financial Institutions, and even some mainstream social movements are still clinging to economic growth and material expansion as primary societal and developmental goals.

This is creating the space for mining companies to reinvent themselves as green and sustainable friendly change agents despite their dirty, unjust, and unfair supply chains.

Several members of TSF-Mining have embarked on learning sessions and round-table discussions about the emerging issue of transition minerals, also called green minerals, or critical minerals, to look at the Nexus of Climate Justice, Just Transition, and

Extractives

The emerging narrative about the mining and energy transition is that the world will need to extract more minerals in order to deliver the pledges for renewable or clean energy.

In 2017, the World Bank concluded that “that a low-carbon future will not be possible without minerals” and the concept of “climate-smart mining” was born. In its 2020 report, the World Bank then said:

” ...that the production of minerals such as graphite, lithium and cobalt could increase by nearly 500% by 2050, to meet the growing demand for clean energy technologies. The report also estimated that over 3 billion tons of minerals and metals will be needed to deploy wind, solar and geothermal power, as well as energy storage, required for achieving a below 2°C future.

On the other hand, the United Nations has studied and proposed a new framework for managing the roles that minerals play towards achieving the Sustainable Development Goals or SDGs. In 2020, UNEP proposed the Sustainable License to Operate (SLO) framework for the minerals industry.

Meanwhile, affected communities and human rights defenders have emphasised that transition minerals sustain existing and present new threats and risks against communities who are marginalised and oppose these mining projects that impact their ancestral lands, farmlands, territories, and waters.

A War on Want report, ‘A Material Transition: Exploring supply and demand solutions for renewable energy minerals’ documents such cases and examines the potential widespread environmental destruction and human rights abuses unleashed by the extraction of transition minerals – the raw materials needed for the production of renewable energy technologies. The report also highlights what can be done to avert this devastation and sets out a pathway for a globally just energy future.

These emerging developments require a coordinated response from affected communities as well as continuing efforts at awareness-raising, capacity-building, and solidarity.

Right to Say NO!

Thousands of communities are deprived of their communal land – almost without fail for unjust and inequitable compensation. Such deprivation is very often caused by transnational corporations, especially mining companies who gain the rights to mine the minerals below the surface of the land.

Mining-affected communities demand to be at the center of the decision-making process with respect to development in and over their territories and they are uniting in action against extractivism and drawing inspiration from several other community struggles. Not least the Amadiba community of Northern Pondoland brought their case to the first session of the Permanent People's Tribunal in Swaziland.

The Right to Say No campaign is a coalition built around the iconic case of, the Amadiba Crisis Committee (ACC).

The campaign is designed to fight for the establishment of legal precedent, with respect to free prior and informed consent, which is believed to exist.

The Amadiba Crisis Committee (ACC) which has been struggling against mining in Xolobeni on the Wild Coast of South Africa since the early 2000s, brought a case in April 2018 to the North Gauteng High Court in Pretoria (South Africa). The case arose because an Australian mining company TEM (Transworld Energy and Minerals) proposed to mine the titanium-rich sands in the coastal area. Based on customary law and reinforced by the Interim Protection of Informal Land Rights Act (IPILRA), ACC members fight to preserve their understanding of life, community, Indigenous belief

systems, ecology, land and sustainable ways of life. As a result, their work actively resists mining and imposed developmental initiatives within their communities.

ACC employs the strategies of mass mobilization, protest and litigation to advance their work. They have had successes in fighting off mining companies and forcing information disclosure by businesses wanting to mine within their communities, including their victory in the case against the Department of Mineral Resources in South Africa and Australian company Transworld Energy and Mineral Resources (TEM) which has become a part of a larger “Right to say NO” campaign across Southern Africa.

A campaign for the right to say “no!” based on the principle of free prior and informed consent has echoes with civil society efforts to regulate Transnational Corporations (TNC) internationally through having the United Nations adopt a binding treaty on business and human rights.

A binding treaty that locks corporations into respecting the human rights of people affected by their operations, combined with campaigns for the right to say “no”, expressed through the principles of free, prior, and informed consent could go some way in reversing the power of TNCs.

The right to say no has applications at national, regional, and international levels. The campaign will use case law to argue for the development of national legislation and international protocols that enshrine the right to say no.

The Right to Say No is a permanent process of mobilization and affirmation of the territory's desire to remain “Free from Extractives activities”.

The devastating impacts of corporate extractives, which violate human rights and the rights of nature are still a big challenge. State laws and mechanisms are far from protecting peoples and places. Although in many countries, the law provides communities and nature with several safeguards, they are being ignored or partially enforced.

TSF-Mining and the Extractives Economy held a series of Webinars to find common ground, taking into account the differences in understanding of the “Right of Say No” and has proposed a set of common key issues for global campaigns on the Right to Say

1. Reaffirm the current struggle at the community level to reclaim the sovereignty, control and management of natural resources in their territories.
2. Connect the community struggles into one broad, national, regional and international struggle for the preservation of the rights of indigenous and local communities, while supporting alternatives.
3. Reject the instrumentalization of the relations with Nature and community and question the nature and validity of current democratic structures.
4. Demand a Just Transition and full restitution for violations and socio-environmental impacts, in the struggle for territories free from mining.