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THE AFRICA MINING VISION

**CAN BUSINESS AS USUAL BE VISIONARY?
PERSPECTIVES FROM FOUR REGIONS**

CONTENTS

Introduction	3
Nnimmo Bassey The tunnel vision of extractivism	7
David van Wyk, Suzanne Reyneke and Eddie Bain Attainable vision or fairy tale?	14
Amani Mustafa Mhinda The Africa Mining Vision in Tanzania: is it a step down or a way forwards?	25
Andreas Bohne and Michael Reckordt United in contradiction The Africa Mining Vision and the German Government's Raw Materials Strategy	36
Authors	47
Abbreviations	48

INTRODUCTION

Mining (particularly in its industrialised form) is a hugely controversial area – at a local and a global level. Locally, diverse impacts are tangible: proponents refer to job creation and to the contribution to economic growth by industrial mining companies; opponents criticise negative the ecological impacts, sometimes human rights violations and the lack of binding regulations. Those who try to combine the two perspectives argue for extraction in a way that minimises socio-ecological impacts and conflicts. This has sparked the growing debate on ‘resource based development models’ called neo-extractivism, post-extractivism or degrowth.

The global economy of raw materials reflects the current neo-liberal form of globalisation well. But it is founded upon the fact that globally some countries can avail themselves of an abundance of mineral deposits and energy resources. In some places, deposits are geographically highly concentrated. By contrast, countries like the EU member states are highly dependent on commodity imports to cover their energy needs (e.g. coal) or for manufacturing industries (the discussions about industry 4.0 and digitalisation exemplify these import needs). By using free trade agreements or diplomatic means, these countries are aiming to secure access to the resources of the Global South. African and Latin American countries mainly stand by their position as raw material exporters while some Asian countries like China are positioning themselves as both importers and exporters.

The growing demand for mineral and metallic resources and the commodity price increase which started in 2005 and lasted until 2011 and had two effects: on the one hand, there was a consolidation of traditional patterns. Rising investments in resource-rich countries, facilitated by trade and investment treaties,

led to capital inflows to the Global South to secure commodity imports for the Northern economies, thereby manifesting the ‘old’ North-South division of labour. On the other hand, efforts have been made to change this global structure and, in this regard, the Africa Mining Vision (AMV) is a relevant strategic framework. Thus, it is worth asking: does the AMV constitute a paradigm shift towards overcoming the traditional division of labour or will it cement its continuity? Can the AMV contribute to a socio-ecologically responsible form of mining activity?

The Africa Mining Vision: the well-known stranger

In 2009, the Africa Mining Vision was adopted by the African Union (AU). An initial discussion point had been the observation that the endowment and exploitation of mineral resources did not contribute to economic development in the past or to industrialisation in African countries. As a strategic concept, the AMV argues that industrial mining which also includes artisanal and small-scale mining activities, has to be the key sector for a growing, diversified, competitive and industry-based economy in Africa. Structural transformation of African countries has to be based on the exploitation of minerals, energy sources and links to further economic sectors (upstream/downstream linkages). The aim is to bring about a higher level of manufacturing, improved national and regional value-chains and a high-performance infrastructure (railways, harbours and power-lines) in African countries. In addition, the AMV calls for improved taxation, more efficient allocation and distribution of revenues from resource extraction. The AMV sketches out six key points of intervention¹ for a transparent, fair and efficient use of mineral resources.

It encompasses a Tentative Framework for Action, setting out short, middle and long-term activities to be adopted at country, regional and continental level.

Two years after this approval, the AU presented an Action Plan in 2011 proposing nine clusters of activities, actors, objectives and indicators. One was to establish an African Mineral Development Centre (AMDC). This was meant to be a body responsible for the implementation of the Vision and the lead institution for the co-operation between several institutions (in particular AU, UNECA, African Development Bank und UNDP). The AMDC was eventually founded in December 2013 with its headquarters in Addis Ababa. Also in 2011, a policy paper² was presented discussing financing options for the establishment of the necessary infrastructure for (industrial) mining. The proposed main approaches were 'development corridors' and 'mining spatial development initiatives'. As complementary measures, the African Mineral Governance Framework (AMGF) and lastly, as a third measure, the AMV Private Sector Compact were established in 2016. The latter aims at mainstreaming enterprises and chambers of commerce into the process. Companies and governments are to stick to twelve principles which include transparency, combating corruption, payment of taxes and royalties, participation and 'innovative' Public Private Partnerships (PPP). Indeed, the AMDC, which is supposed to bring about a broad conformity between 'shared values' and 'shared benefits', should balance the interests of companies on the one hand and governments on the other. Nevertheless, the document clearly states: 'The drivers for cooperation under the Compact are the business benefits that the private sector will derive from AMV implementation in AU member states and RECs.'³

The implementation of the AMV is, however, optional. By conversion into national laws and

regulations, the AMV shall become operational (through "Country Mining Visions").⁴ Up to now (November 2017), only Lesotho has implemented the AMV. More than 20 African countries are at different stages of implementation. Across the board, sluggish implementation is a matter of great concern.

The significance of the AMV is due to both its pan-African and in its national dimensions. The document constitutes a blueprint for the whole continent⁵ and serves as a guideline for the national implementation at the same time. Although the AMV was released some years ago, it seems that the vision does not play any significant role in the African or in the European discussion on development strategies. It is only known to a small circle of experts while mining-affected communities and most sections of civil society and political decision-makers are not aware of it.⁶ Only a few assessments made by the AMV are publicly available: while some activists reject the AMV in general by arguing that extractivism is the wrong 'development path', others emphasise the AMV's well considered ideas and criticise its weak implementation. However, the discussion around the AMV as a pro-mining document could promote a discussion about the role of mining for 'development' and allows for a debate on different concepts like neo-extractivism or post-extractivism.

Intention: critical analysis

The intention of the publication is to put forward the in-depth analysis of the African Mining Vision and its implementation so far. The objectives are:

- to analyse the extent to which the AMV is in line with the intended promotion of people's socio-economic and political rights, including the right to environmental protection;
- to describe the state of national implementation some years after it began and to

- identify major drivers or constraints to its implementation at national level;
- to assess the AMV as a policy framework, including capital intensity and institutional set-up, and its underlying economic development model including the discussion of weaknesses and strengths;
- to suggest potential alternatives for a mining vision in Africa and propose ways for civil society engagement with the implementation, monitoring and evaluation of such a vision.

In the following chapters, experts and activists from three African regions provide insights, offer their analyses, assess the pros and cons and propose answers to flaws within the AMV. In chapter two, Nnimmo Bassey, Alternative Nobel Prize winner from Nigeria and director of Health of Mother Earth Foundation (HOMEF), comments on the AMV from a more ideological view. He offers a critique of the neo-liberal framework the AMV is embedded in. From an ecological perspective, he rejects the destructive character of aggressive extractivism and, always with reference to Nigeria, he also condemns the neglect of artisanal and small-scale mining in the AMV. In chapter three, Amani Mhinda, who is from the Tanzania-based non-governmental organisation HakiMadini focuses on the national level. After giving, extensive background information on the Tanzanian mining sector, he turns to the implementation of the Country Mining Vision (CMV) in Tanzania. Drawing on different topics, Amani Mhinda assesses the AMV as a (theoretical) paradigm shift which is, however, confronted with the challenges and hurdles of a neo-liberal framework, the lack of political will and donor-driven interests. A Southern African perspective is given by David van Wyk, Suzanne Reyneke and Eddie Bain from Benchmarks Foundation in Chapter four. They choose to refer to Rosa

Luxemburg's thoughts before shifting the perspective to the present. With reference to several African countries, the authors illustrate the slow national implementation and make several recommendations such as calling for mandatory regulations of corporations and advocating a stronger role by the state.

The fourth and final chapter shifts the geographical focus to a European perspective. Referring to official raw material politics and recent policy papers released by the German government, Andreas Bohne and Michael Reckordt link up the AMV as an African policy framework with German policies. Both authors criticise the AMV as well as German politics. In addition, they argue that both converge in their capitalist orientation, including the emphasis on infrastructure development but express divergent interests and aspirations.

The editors would like to thank all authors for their valuable contributions. However, this publication would not have been finalised without the support of several colleagues with their analytical reviews of the articles and keeping the channels of communication with the authors open. Therefore, we are profoundly grateful to Britta Becker, Franza Drechsel, Fredson Guilengue, Arndt Hopfmann and Joan Leon. We hope this small publication will promote discussions on industrial mining in Africa, the role of European countries and the path towards a socio-ecological transformation. For the RLS Africa Unit, this publication is merely one additional publication on 'socio-ecological transformation', the role of natural resource politics, in particular industrial mining, small-scale mining and extractivism.

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1 These are: a) the level/quality of the resource potential data; b) Contracts negotiating capacity; c) Ongoing African resources development and governance capacity; d) Improving the capacity to manage mineral wealth; e) Addressing Africa's infrastructure constraints; f) The case of artisanal and small-scale mining. **2** African Union Commission/United Nations Economic Commission for Africa: Building a Sustainable Future for Africa's Extractive Industry (2011): From Vision to Action. Exploiting Natural Resources for Financing Infrastructure Development. Policy Options for Africa, Addis Ababa, 2011. **3** United Nations Economic Commission for Africa (2016): Africa Mining Vision Private Compact. A New Approach to Cooperation in Africa's Extractives Sector, 2016, p. 1, available at https://www.uneca.org/sites/default/files/PublicationFiles/africa_mining_vision_compact_brief.pdf. Last accessed: 4 November 2017. **4** For Country Mining Visions see for example Pedro, Antonio M.A. (2015): The Country Mining Vision: Towards a new deal, in: Österreichische Entwicklungspolitik 2015: Rohstoffe und Entwicklung, pp. 27–35; Oxfam (2017): From Aspiration to Reality. Unpacking the Africa Mining Vision, 2017, pp. 15–20. **5** Even the AU Agenda 2063 adopted in 2015 calls for the implementation of the AMV. **6** Busia, Kojo (2015): Africa Mining Vision and Country Mining Visions: Mainstreaming Mineral Resources for Development, 2015, available at <http://www.un.org/en/africa/osaa/pdf/events/20150224/busia.pdf>. Last accessed: 4 November 2017; Oxfam (2017): pp. 1 and 2.

Nnimmo Bassey

THE TUNNEL VISION OF EXTRACTIVISM

The adoption of the Africa Mining Vision (AMV) in 2009 marked a continent-wide intervention by policymakers on a mission to close the gap between communities, mining companies and governments.¹ The AMV is primarily about aligning the interest of governments with that of the mining companies². This provides the skeleton on which the African Union (AU) and the industry hope to hang the fabric of the sector. It has a potential to raise the level of responsibility and transparency in the mining sector and it is hoped that operators will bear in mind that many of the conflicts on our continent, historical and current, can be traced back to the struggle to control mineral resources.

Proponents of the AMV idea see the vision as a way of moving African countries on from their position as mere exporters of raw materials to becoming processors of the minerals found within their borders. The AU believes that the AMV will also help ensure that mining contributes, “Better to local development by making sure workers and communities see real benefits from large-scale industrial mining and that their environment is protected. It also means making sure that nations are able to negotiate contracts with mining multinationals that generate fair resource rents and stipulate local inputs for operations. And at regional level, it means integrating mining into industrial and trade policy. Most of all, it’s a question of opening out mining’s enclave status so that Africa can move from its historic status as an exporter of cheap raw materials to manufacturer and supplier of knowledge-based services.”³

Furthermore, assumptions are that value addition and multiplied job creation lead to increased revenue, reduction of unemployment and the building of peace.

However, the basic underlying cornerstone of the vision is that extractivism is the key to development, growth and progress. What has not been debated is what exactly development means, especially for Africa. We have not examined if there is a lineal path, as well as a static and deterministic definition of development. It is worth querying if it is possible for African countries to move to the arena of earning revenue from knowledge-based services if we do not carve a niche based on our clear conception of what development means and where it leads to. In view of these considerations, it does appear that for the AMV to progress beyond the level of aspiration, a certain amount of digging literally needs to be done.

Misconceptions

The most recent economic path has been exactly like this: within the framework of a business-friendly environment, there has not been an analytical review as to why leaders embark on roadshows overseas to attract foreign direct investment, end up accepting contractual conditions that are unfair and unjust and further open up the continent for plunder. Without any reservation, African leaders accept the neoliberal notion that public businesses cannot be efficient or profitable and thus public enterprises must be sold off and privatised. The privatisation process is a questionable neoliberal and neo-colonial approach by international financial institutions such as the World Bank and the International Monetary Fund whereby governments are encouraged to sell off public institutions, social service outlets and enterprises to individuals. In practice, the acquiring entrepreneurs then pass on higher costs to consumers without delivering the

promised improved service. The AMV fits in with the universal fixation of governments with opening up the continent for foreign investment and private capital. With this mindset, it is not surprising that the AMV does not directly cover the issue of capital flight, whilst foreign direct investment or inflows do attract some focus.

The AMV is presented as Africa's response to tackling the paradox of great mineral wealth and the 'resource curse' which manifests itself through corruption and pervasive poverty. It is questionable whether the integration of the

"[a] sustainable and well-governed mining sector that effectively garners and deploys resource rents and that is safe, healthy, gender and ethnically inclusive, environmentally friendly, socially responsible and appreciated by surrounding communities."⁴

Turning that aspiration a reality places responsibility on African countries to include environmental protection into mining endeavours, especially by ensuring that social and environmental impact assessment rules are rigorously adhered to. This is essential because extraction, by definition, is subtraction which

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mining sector into development policies could remedy the situation. What would governments and businesses do besides ostensibly promoting higher tax breaks to encourage further investments? To show how the integration of mining into development would benefit the continent, the precise outcomes of this development have to be determined, i.e., whether the aim is growth benchmarked against a known template or model or whether the overarching aim would be to secure the well-being of the citizens or merely corporations. What measures would ensure that citizens and communities can see benefits from mining activities and what would such benefits look like? Can such outcomes be reached when officials managing the sector are more concerned about how to remove investment bottlenecks and provide the best investment environments for large-scale mining companies?

The AMV does recognise the need to ensure that mining activities do not leave behind sacrificed environments. It is to this end that one of AMV's shared vision states,

means "taking away". It is for this reason that mining is not a sustainable activity and sustainable mining is nothing if not oxymoronic in the same way as people speak of "clean coal". Both are used as communication strategies using concepts to make the bitter palatable and the unacceptable agreeable.

The possibility of ecological and social justice being assured in the mining sector would only come by way of close collaboration between civil society and target communities. The uncritical attraction of the AMV with regard to the role of Civil Society Organizations places undue emphasis on resource governance⁵ and continued monitoring of the ecological external impacts.

Although an impressive amount of work was done on researching and developing the AMV, it contains major gaps as regards dealing with the issues surrounding artisanal mining on the continent. It talks extensively about the mining sector but leaves out the resolution of the complex factors surrounding it as matters for further work by indicating that the main focus of the AMV is industrial mining and not

the irritants constituted by the multitude of artisanal miners. The vision talks of artisanal miners acquiring skills for transition to other areas of economic endeavour such as carpentry and bricklaying. An African Mining Vision that does not address the issue of artisanal mining in an integrated and comprehensive way is a vision that willingly keeps a blind eye on an important plank. The warning in an International Institute for Environment and Development policy brief is worthy of note here: “Those attempting to tackle ASM’s social and environmental problems, therefore, must view the sector more holistically, specifically, as part of a livelihood ‘complex’ rather than simply an enterprising activity. This includes recognising the inseparable linkages between farming and mining, rather than giving separate treatment to each in policy.”⁶

Minerals and Oil

The AMV maintains the prevalent dichotomy between solid minerals and petroleum resources. This limitation in the AMV deserves further probing. The petroleum sector presents itself as such a complicated sector, it cannot be examined in the same context as solid minerals. Fortunately this dichotomy is being broken in transparency advocacy circles where audits of the extractive sector now include solid minerals, even if it is done in a perfunctory manner as is the case with the audits of the Nigerian Extractive Transparency Initiative (NEITI). It must also be recognised that NEITI cannot be blamed for the paucity of information from the solid minerals sector as productivity in that sector has been largely uncoordinated.

Nevertheless, Nigeria provides a good template for examining the dichotomy between the minerals and petroleum sector. Whereas the 2007 Solid Minerals and Mining Act makes clear provisions for communities to be consulted and on agreements to be reached before mining activities are carried

out in their territories, the oil sector is very isolated from the communities except for its negative impacts. To make up for that lacuna, oil companies utilise the same mechanisms touted by the AMV – voluntary mechanisms such as those of corporate social responsibility (CSR) which are insufficient in closing the gaps between expectations and reality of environmental degradation and livelihoods destruction. Another stumbling block has been the inability of law makers to take community concerns on board such as stakes in these businesses and protection of their environment. The adoption of the community and environmental provisions in the Minerals Act into the Petroleum Industry Bill (PIB) would largely ease tensions in the sector. Efforts made in the last decade towards having an acceptable PIB have been largely unsuccessful due to difficult attitudes of the oil companies which have been accustomed to unbridled profits and tenuous regulation. A more advanced AMV would have had the potential to support a reform of the PIB. The Mining Act imposes restrictions on where mining can occur and debars miners from sacred and protected sites. The Nigerian oil sector has experienced no such restrictions. Since the AMV does not make this important rule of keeping mining off protected areas and areas or landmarks with spiritual or cultural importance, a change to PIB in that regard also remains very difficult.

Bound by the Environment and Free Prior and Informed Consent

Land can be also used for a host of other things, including fisheries, agriculture, tourism, religious activities and a lot more. The neoliberal assumption that non-renewable resources only have value when they are exploited and transformed shows a shallow understanding of humankind’s place in nature. The lack of questioning as to

mining's place in society goes hand in hand with the ideological position that the economy of Africa must embark on a path of commodity-based industrialisation in order to attain certain poorly defined outcomes.

On the whole, the AMV is a modified extractivist agenda and does not portray Africa as a continent showing signs of being part of global efforts to move beyond extractivism. One of its limits is the priority given to economics over ecology. The absence of consideration of environmental liabilities, and the absence of the requirement for prior and informed individual and community

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consent as a key objective is a manifest flaw. The AMV's implementation plans must not discount the fact that human beings are part of the earth's ecology and that the dependence and connection between living things and non-living things run deep. Many African communities depend directly on the environment and this cannot be overlooked without serious adverse consequences. The AMV's focus on achieving "sustainable" growth and development implies that the sustainability of the environment could be an opportunity cost to achieving those ends.

One of the points the AMV argues for is that efficient management of mineral resources can help meet the challenges of eradicating poverty and broad-based socio-economic development in Africa. A rich society with a poor environment is still a poor society.

The minimal vision for environmental protection and reduction of impacts is

expected to be met through inclusive and consultative processes.⁷ The aim cannot be to halt the impacts as mining is essentially damaging. To what extent would such impacts be reduced? This is an open question. Achieving the aspirations of the AMV will require a lot of work to be done so as to ensure that the desired "inclusive and consultative processes" are prioritised.

Although the AMV's implementation plan recognises the need for community consent for industrial development and the Free Prior Informed Consent of Indigenous peoples, this is a blind spot in the AMV itself. The close relationship of the people and their environment cannot be overemphasised. People have relationships with each other in their communities, but they also have a relationship with their environment: many communities depend on streams and rivers for potable water. The rivers, creeks and wetlands provide the people with a complex web of food, employment and livelihoods. Both the relationship between those in a community as well as the one between groups and their environment are increasingly recognised explicitly for indigenous peoples, but also in a more generalised way for all rural communities.

Industrial and artisanal mining have severe impacts on farming, pastoralist and fishing communities. The effects start from the impacts arising from pollution and the destruction of spawning grounds as well as the related loss of species. As is usual, fishing communities are also impacted by involuntary resettlement to make room for industrial developments or due to pollution from mining activities. As several members of a family could be involved at different steps along the fisheries value chain, a disruption to one of them has cascading effects on others. Consider the effect of displacement from a location that was used as a landing site and for processing and marketing of fish and other

marine resources. Finding another location for settlement could, in many cases, also require a new location for new fishing areas. That could mean longer distances to go in order to go fishing and may lead to conflicts with other fishing communities.

The AMV considers measures to protect human rights with respect to mining activities. However, without tackling the fundamental issues of public participation in decision-making and community consent, human and environmental rights will continue to be sidestepped. The forced relocation of communities, which is in itself a brutal disruption, disregards land rights and the right of communities to live in dignity. The AMV does not consider the role of mining interests in conflict zones and repressive regimes, where they are known to easily encourage, reward, and/or benefit from repression and violence by both state and non-state actors.

Diversify or Ruin

The AMV highlights the fact that Africa needs to check her vision in many national and regional sectors. The mantle of being a supplier of raw materials has to be removed if the continent is to assume control of her destiny. The place of extractivism in the vision of Africa's preferred future needs careful questioning. As the world becomes more concerned about human rights abuses and violence in the mines, is the extractivist path to remain the inevitable way to go? The answer to that question is a resounding no. Already the world has mined certain minerals much more than is needed. A prime example is gold, a lot of which is mined, valued and simply locked away in vaults.

With a younger generation now interested in finding out the source of the materials used to make the appliances and equipment they use, manufacturers are moving to recycling used materials rather than promoting the digging of new supplies. The rabid consumption of raw materials for the production of goods with inbuilt obsolescence is also to be curtailed when consumers call for more durable goods and are not carried away by the fads of having upgrades from one moment to the next. The fact that mining subtracts the stock of non-renewable materials also reminds us that the resources will inevitably be exhausted. Even where the minerals are not exhausted, the world will simply move away from them and countries stuck in the mining treadmill will end up with abandoned assets on their hands.

Another problem which relates exclusively to resources is the vulnerability linked to commodity price drops. The AMV does not address the unpredictable nature of the crisis-ridden global economy. With its intrinsic globalised nature, the extractive business is prone to price drops and fluctuations in demand that could be triggered by financial speculators, among other factors. Countries that are trapped in the extractivist mindset are forced to depend on the unpredictable forces of supply and demand which are themselves dependent on other factors. The recent collapse of oil prices from over \$100 per barrel to less than \$40 per barrel sent a major jolt to oil rent dependent nations in Africa and elsewhere. Even with the recent climb to \$50 per barrel, those countries have found themselves in the grip of convulsing repression. The drop in oil prices also poses special dilemmas for African countries which

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had big dreams of joining the big oil league and were looking towards exploiting offshore oil fields. Some of those dreams may have to be placed on hold until oil prices reach a level where offshore oil exploration and extraction can be profitable. The same analogy can be made in the case of countries dependent extraction and export of minerals and other commodities for foreign exchange earnings. To avoid being trapped in an unpredictable resource dependency, it is time for African countries to start the transition from being the store houses of raw materials to becoming countries which determine to what purpose the materials are put. It is time for Africa to ask the neglected question about the true value of the minerals compared with the value of the natural world.

A united Africa requires a vision that brings the economies of the continent together in an integrated way. Mining has led to the building of outwardly focused infrastructure that generally leads from centres of extraction to the sea or airports from where they are exported. This has disrupted connectivity between regional markets and the development of industry and other activities that could emerge from shared knowledge, skills and needs. The export orientation for foreign exchange further weakens the regional economy when minerals are exported only for finished products to be imported at prices disproportionately higher than those of the exported raw materials. The AMV remains on track for export-oriented infrastructure development as it bemoans the plight of landlocked African countries: “due to this constraint [of being landlocked], the resources of many African states are “stranded” and cannot

currently be exploited, as individual projects cannot afford to absorb the huge costs of the necessary infrastructure due to insufficient rents.”⁸

Mining in Africa has serious impacts on the rural environment where the bulk of extraction occurs. The rural areas are where smallholder agricultural production is carried out in Africa. Although the significant proportions of these farmers are women and they are disproportionately affected by mining activities, the AMV passes over this central concern. In its feminist critique of the AMV, WoMin asserts, “mineral and oil-based development leads to

the misuse of important resources typically undervalued and hence unaccounted for in policy making, including community wealth, food production systems and female labour.”⁹

The AMV also needs an overhaul that will see it championing environmental protection,

respect for human and community rights and a shift from extractivism to an economy built on knowledge and to the utilisation of bio-resources.

In a couple of years, Africa will be marking a decade since AMV came into being. While there has been a close relationship between governments and the mining sector, the communities do not feel a sense of inclusion. This and other gaps need to be plugged in the implementation of the AMV. For one, methodologies for evaluating less visible impacts should be included, such as those on underground water systems and should require that these are covered under the requisite national legislation. The AMV needs to be expanded to cover the petroleum resources sector and make a clear statement about the avoidance

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of protected and sacred sites and territories. In other words, the AMV must recognise no-go zones. The AMV should have templates for incorporating actual environmental costs of mining.

The language of the AMV itself requires to be updated to include concerns over “pollution”, “contamination”, “rehabilitation” and “liability.” These are words that are currently and disturbingly missing in the AMV.

The AMV should provide a template for a managed transition from the extractivist route. In this regard, there should be a ban on the extraction of materials that have no acceptable means and methods to deal with the resultant waste rather than leaving the burden for future generations.¹⁰ The AMV should be a vision that halts subtractions but also encourages additions and preservations with intergenerational responsibility.

1 United Nations Economic Commission for Africa (2017): African Mining Vision Initiative gaining traction one year on, 8 February 2017, available at <https://www.uneca.org/stories/africa-mining-vision-initiative-gaining-traction-one-year>. Last accessed: 28 November 2017. **2** Mining Review (2016): Africa Mining Vision Compact established between business and host governments, 19 February 2016, available at <https://www.miningreview.com/news/africa-mining-vision-compact-established-between-business-and-host-governments>. Last accessed: 28 November 2017. **3** African Union (2009): AMV – Africa Mining Vision, available at <https://au.int/en/ti/amv/about>. Last accessed: 28 November 2017. **4** *Ibid.*, p. v. **5** Without author (without year): Why African CSOs Must Support African Mining Vision, available at <http://altminingindaba.co.za/wp-content/uploads/2017/02/WHY-AFRICAN-CSOS-MUST-SUPPORT-AFRICA-MINING-VISION.pdf>. Last accessed: 28 November 2017. **6** Gavin Hilson (2016): Artisanal and small-scale mining and agriculture: exploring their links in rural sub-Saharan Africa, IIED, London, 2016, p. 4. **7** United Nations Economic Commission for Africa (without year): A Country Mining Vision Guidebook. Domesticating the Africa Mining Vision, available at https://www.uneca.org/sites/default/files/PublicationFiles/country_mining_vision_guidebook.pdf. Last accessed: 28 November 2017. **8** African Union (2009): p. 26. **9** Valiani, Salimah (2015): The African Mining Vision: A Long Overdue Ecofeminist Critique. WoMin Analytical Paper, South Africa, 2015, p. 4, available at <https://womin.org.za/images/docs/analytical-paper.pdf>. Last accessed: 28 November 2017. **10** Mining Watch Canada/Jamie Kneen (2013): The Africa Mining Vision: A Limited Field of View?, 22 August 2013, available at <https://miningwatch.ca/blog/2013/8/22/africa-mining-vision-limited-field-view#sthash.KFvt6OQI.dpbb>. Last accessed 28 November 2017.

David van Wyk, Suzanne Reyneke and Eddie Bain

ATTAINABLE VISION OR FAIRY TALE?

Historical background to the Africa Mining Vision

In the Africa context, the need for the Africa Mining Vision (AMV) can only be fully understood against the history of the class conflict among the Boers, British and indigenous peoples and the crude and demeaning methods of exploitation of the latter. Modern industrial mining exploded onto the African continent with the discovery of diamonds and gold in South Africa in the late 19th century. This gave rise to the class conflict between Afrikaner farmers, English mine owners and African labourers. Rosa Luxemburg summed up the class conflict between Boer peasant republics and farmers on the one hand, and the British Empire and the British bourgeoisie on the other hand, as being essentially about robbing the indigenous peoples of their land and their labour power. "While the Boers stood for outdated slavery on a petty scale, on which their patriarchal peasant economy was founded, the British bourgeoisie represented modern large-scale capitalist exploitation of the land and the natives".¹

Whilst Boer methods of exploitation were crude and demeaning, the British took a more sly approach, as summarised by Luxemburg, "For a long time, it appeared as the protector of the natives, flattering chieftains in particular, it supported their authority and tried to make them claim a right of disposal over their land. Wherever it was possible, it gave them ownership of tribal land, according to well-tried methods, although this flew in the face of tradition and the actual social organisation of the Negroes. All tribes in fact held their land communally, and ... merely had the

right as well as the duty to allot every family a piece of land which they could only retain so long as they cultivated it. The ultimate purpose of the British government was clear: long in advance it was preparing for land robbery on a grand scale, using the native chieftains themselves as tools ... British capital revealed its real intentions only after two important events had taken place: the discovery of the Kimberley diamond fields in 1869–70, and the discovery of the gold mines in the Transvaal in 1882–5".²

South African Mining, in particular the tremendous wealth in gold, was the jewel in the British crown and it affirmed the position of Britain as the leading imperial power

In the global economy of the 21st century, the major driver of economic development in Africa and globally is still the accumulation of capital as elaborated by Rosa Luxemburg.

across the globe, and also facilitated Britain's economic recovery after the two World Wars. The model of mining adopted by the British in South Africa was replicated not only throughout Britain's African empire but also emulated by other colonial powers in Africa. Many of the key issues used to create the AMV are rooted in this colonial history. Understanding the AMV and its evolution requires an understanding of mining and its impact on both the land and the labour forces during colonial times. Luxemburg's insights still hold true for the rural peasant in North Western Zambia whose community has recently lost a thousand square kilometres to a global mining corporation³ in contravention of the land, environmental and constitutional rights

of rural communities. Similarly, a Tanzanian village was recently razed to the ground to make way for mining⁴.

In the global economy of the 21st century, the major driver of economic development in Africa and globally is still the accumulation of capital as elaborated by Rosa Luxemburg. There are a number of challenges to the continued accumulation of capital in the globalised world and these are:

- Shrinking mineral and natural resources to plunder⁵: unlike in the 20th century, the life expectancy of a mine now seldom exceeds 15 years, previously mines could be expected to operate for between 50 and 75 years;
- Climate change and global warming⁶: the mining industry is a major contributor to greenhouse gas emissions as a result of its dependence on fossil fuels for its operations;
- Youth unemployment and poverty: “Of the 38.1% estimated total working poor in sub-Saharan Africa, young people account for 23.5%. Young girls tend to be more disadvantaged than young men in access to work and experience worse working conditions than their male counterparts, and employment in the informal economy or informal employment is the norm”⁷; and
- Economic nationalism and resistance by communities to the continued alienation from their land, and the foreign exploitation of their mineral and natural resources and their persons, i.e. their labour power.⁸

All four of these global challenges are inter-linked and have a causal relationship to the global model of capital accumulation

or “development”. As mineral and natural resources shrink, the often violent interventions by the industrialised and developed North in the resource rich but underdeveloped global South has increased with little respect for national sovereignty or security.

In 1972, the Club of Rome, in its report, “The Limits to Growth” (i.e. the continued accumulation of capital, or the on-going prevalent economic model) not only anticipated many of the social and environmental problems associated with mining, but also warned that the planet and its environment cannot continue to sustain this economic model of development. “It is an indisputable merit of the Club of Rome, and of Aurelio Peccei in particular, to have spelt out the central problem of our time (unsustainability of the world demographic and economic trends), and to try to find a way to stop the system collapsing. Peccei was worried about the devastating progress of humanity. But he was sure that once people had acquired a new power over nature they would have felt the need to guide Earth’s evolution towards a general improvement. In other words, Peccei was convinced that every inhabitant of the world needed to acquire a sense of responsibility, both global and intergenerational. To achieve this, it was necessary to rely on humanistic qualities and to eschew short-term visions leading to unacceptable imbalances”.⁹

Michele Zebich-Knos¹⁰, Michael Klare¹¹ and others argued that instead of internationalising a cooperative struggle to realise a balanced economic model, the post-Cold War era has internationalised a destructive

As mineral and natural resources shrink, the often violent interventions by the industrialised and developed North in the resource rich but underdeveloped global South has increased with little respect for national sovereignty or security.

model of increased competition, increased foreign investment and increased 'growth'. Randers and Maxton warn that, "Conventional solutions like wealth tax, boosting infrastructure spending or encouraging more entrepreneurs will not help to reduce climate change, inequality and joblessness, they write. Thus, there is only one – unconventional – solution: paradigm shift. The current growth-based economic system is behind global crises. To Maxton, the fault clearly lies in upholding the neoliberal economic project – a doctrine that has brainwashed too many people, he argues. But what is neoliberalism exactly? It's an economic theory that refers primarily to extensive economic 'liberalization' policies such as privatization, deregulation of markets, free trade, and reductions in government spending to promote the private sector".¹²

These are the issues that face humanity in general and, in particular, Africa. African labour and African mineral and natural resources not only underpinned the industrial development of the developed north¹³, but African States and their national boundaries were determined by Europe at the Berlin Conference of 1884.¹⁴ These same boundaries determined the nation states of post and neo-colonial Africa, a continent whose people never experienced economic sovereignty or security. Rodney's thesis was that Africa never developed from its own resources or labour in a pre-colonial and colonial trade, feeding the development of the industrial north instead. As this global economic system evolved, African nations achieved nominal independence, i.e. the freedom to play at national politics while their economies' post-independence remained firmly locked into the economies of former colonial powers, and financially and economically they were subjected to the 'dictatorship of the World Bank'¹⁵ and the International Monetary Fund.

It is against this background that the development of the AMV, as an attempt to sustain the status quo by transforming the crude extractivism of yester-year into an extractivism with a 'human face', should be seen. It is a 'sedative injected to minimise the pain' of extraction, not to end extractivism.

In the following sections the authors will briefly analyse this 'sedative' and argue that it, unfortunately, fails to address the four key challenges facing both humanity in general and specifically Africa today. The AMV will not put the ownership of African economies, or mining, in African hands unless the African governments are serious with regard to the adoption and implementation of Country Mining Visions (CMVs). In failing to do this, it will simply permit the governance of African resources by foreign multinational corporations (business) and African Governments, i.e. it will sustain the existing model of capital accumulation and 'growth' despite the challenges facing the planet.

Africa today and the evolution of the Africa Mining Vision

Unless it is nationalised, mining can only produce specific social relations of production, based on a specific infrastructure development determined by the prerogatives of the accumulation of capital by the owners of the means of production in mining. Obviously, nationalised mines would result in different relations of production.

At the 2013 Mining Indaba in Cape Town, it was stressed that a model must be developed that delivers long-term wider benefits for all, 'decent' mining and a transition from an extractive industry to a development industry.¹⁶ The 'sedative' was starting to take shape – 'decent' mining refers to extractivism with a human face. As for the transition from an extractive industry to a development industry, the Club of Rome's warning about

more growth and development in line with current models of industrialisation mentioned earlier must be noted. The Mining Indaba does not clarify what 'development' means, and most probably in their minds it means neo-liberal economic growth.

The Conference on Mining which took place in Abidjan (4 March 2007), Ivory Coast, defined a path for Africa's commodity-based industrialisation with more linkages, local processing and value addition. In other words, Africa should imitate the European development path, but without being protectionist to mass consumption of mass produced commodities.¹⁷ The economic reality is that, although many African countries have sizeable populations that could form the volume required to drive demand for manufactured goods, wages in the extractive industries dominating African economies are so low that these populations cannot afford to purchase manufactured commodities. Given the distance from European and North American markets, goods manufactured from value-added African minerals and extractives will struggle to compete in global markets and lack of domestic demand will simply mean the stagnation of the suggested manufacturing industries. The global mining industry does not pay equal wages for equal work globally, with, for example, Australian mine workers earning incomes as much as ten times higher than that of their African counterparts.¹⁸ The only way Asian economies such as South Korea, Taiwan, and Singapore escaped from this trap was through extremely nationalist and developmental state approaches which emphasised protectionism and economic nationalism over open market approaches.¹⁹ Researchers of the Bench Marks Foundation would argue for more effective governance, assuming that the plague of corruption associated with the extractive industries can be overcome and agree to a much more developmental role for the state.

Overview and objectives of the Africa Mining Vision

The AMV was adopted by the 54 Heads of State at the African Union (AU) Summit in February 2009. It is supposed to be a roadmap to, "transparent, equitable and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socio-economic development".

The AMV identifies seven tenets, or objectives, which are to:

- Promote good governance;
- Develop institutional and human capacity;
- Optimise knowledge and use of minerals;
- Build local and regional infrastructure;
- Stimulate economic diversification;
- Harness the potential of small-scale mining; and
- Foster transparency and accountability.

At its conference in October 2012, the African Development Forum linked mining to Africa's structural development. Historically, mining was a major driver of Africa's 'structural development'. Thus, railways from the points of mining to the coastal harbour towns developed on the back of mining. Colonial mining companies built towns and infrastructure where mining took place. However, what is often overlooked is the fact that the insatiable demand for cheap labour, resulted in Africans becoming alienated from their land and suffering huge tax burdens, which served to press-gang them into single sex mine hostels. Thus, railway lines carrying labour trains to and from the mines also developed. What is also forgotten is the fact that the colonial powers did not allow Africans to own mines or to accumulate capital from mines; all they were allowed was to sell their labour to the mines, and their economic choices were limited to mining or agricultural work on the farms of colonisers.²⁰

Much of this early infrastructure development was financed by mining corporations, a cost which they have largely passed on to African

Twenty-five countries have begun domesticating the AMV by developing their own CMVs, including: Tanzania, Ghana, Kenya, Sierra Leone, Malawi, Eritrea, Congo and Niger.

governments post-independence. Much of the World Bank's and International Monetary Fund's imposed structural adjustment programmes of the 1980s and 1990s were to redirect government spending away from education, health and poverty alleviation²¹ towards the maintenance and development of infrastructure to facilitate the export of minerals and raw materials to pay for the maintenance and development of the very same infrastructure.²²

The AMV envisages that all African governments establish and lead a multi-stakeholder CMV task force, which will:

- Identify gaps between the existing mining regime and the key tenets of the AMV;
- Formulate a comprehensive and coherent national strategy to outlast political cycles;
- Devise and oversee an implementation plan;
- Develop legislation;
- Strengthen institutions and set up new ones; and
- Manage communications and expectations.

To promote the domestication of the AMV, the African Minerals Development Centre (AMDC) was established in 2013 as an agency of the AU Commission and it was co-sponsored by the African Development Bank and the United Nations Economic Commission for Africa. As "there is no one size that will fit all countries", the AMDC published a CMV Guidebook in 2014. The purpose of the CMV Guidebook is to "provide decision makers and stakeholders with clear and simple guidelines and options for aligning their mining policies" to the AMV. A CMV is intended to be a collective agenda, broadly shared by the government, labour, business, communities and civil society.

The key focus areas of a CMV are:

- Fiscal regime and revenue management;
- Geological and mineral information systems;
- Building human and institutional capacity;
- Artisanal and small-scale mining;
- Mineral sector governance;
- Linkages, investment and diversification; and
- Environmental and social issues.

Twenty-five countries have begun domesticating the AMV by developing their own CMVs, including: Tanzania, Ghana, Kenya, Sierra Leone, Malawi, Eritrea, Congo and Niger.

At the 2016 Mining Indaba in Cape Town, the AMDC launched the AMV Private Sector Compact, when the Mining Industry Association of Southern Africa (MIASA) became the first signatory. The text of the Compact was unveiled at the 2017 Mining Indaba, outlining reciprocal undertakings by government and business to ensure 'shared values' and secure their social licence to operate (SLO), including:

- Transparent payment and collection of mineral rents and royalties;
- Combating bribery and corruption;
- Supporting and resourcing national geological surveys;
- Investing in education and human resource development; and
- Entering into innovative public-private partnerships.

Country by country implementation (a case study of six countries)

Case studies of the following countries are referred to below: Ghana, Kenya, Malawi, Namibia, Zambia and Zimbabwe. In our research it became clear that, although South Africa participated in some of the activities

that led to the evolution of the AMV, the country never committed itself to implementing the AMV. Therefore, South Africa was excluded from this study.

Ghana

In June 2014, amid confusion and dissatisfaction over the 2014 Minerals and Mining (Amendment) Law, Ghana requested the AMDC's assistance in formulating a CMV. In 2015, the Minerals Commission (in collaboration with the United Nations Development Programme) held a series of CMV workshops involving a wide range of stakeholders. Also in 2015, Ghana commissioned a study by the AMDC and the German Federal Institute for Geosciences and Natural Resources, on opportunities to use mining to diversify the country's economy.

In February 2016, with the support of the Chamber of Mines, led by Anglo Gold Ashanti, the government unveiled a new Minerals and Mining Policy, focused on economic diversification and combating illegal mining or artisanal mining which had taken place for centuries and had occurred even before Ghana became a nation state. At this stage, it is too early to evaluate the implementation and the economic diversification of this policy, given that it has only been operational for less than one year. This policy, despite the CMV tenet that countries should look at developing artisanal and small-scale mining, clearly does not take into consideration artisanal and small-scale mining operations.

In the court of public opinion, Ghana's perception index fell when the conflict between Anglo Gold Ashanti and small scale (artisanal) miners turned violent, and the company relied on national security forces to suppress a popular uprising around its operations at Obuasi.²³ It should be noted that artisanal miners had been mining for centuries before colonialism and industrial mining came to Ghana. Hence, there is a lot of popular

resentment against mega mining. This contradicts the objective of the AMV to give mining a more human face.

Kenya

In May 2016, Kenya's antiquated 1940 Mining Act was replaced by a new Mining Act, laying a foundation for greater regulatory certainty. While the new Act imposes new burdens²⁴ on the industry, it also reduces executive discretion, creates an autonomous Mineral Rights Board, and sets clear timeframes for key decisions. In reality, this translates into a loss of sovereignty over its minerals and accepts co-governance with global multinational corporations of its minerals and mining. In late 2016, Kenya launched its CMV process with a four-day retreat for government ministries, academia and civil society, followed by a two-day 'national dialogue' for communities from across the country. One wonders what was achieved at this retreat and national dialogue, and whether the principle of continuous free, prior and informed consent (FPIC) was realised in two days, with widely dispersed rural communities that have little or no prior knowledge about mining or its impact. It would therefore not be amiss to suspect that the AMV and its local CMV is little more than a Trojan horse for massive land grabs in Kenya by mining corporations. The UN Special Representative on business and human rights (John Ruggie) noted that it is the role and responsibility of government to protect human rights and the environment and to govern, while it is the responsibility of corporations to respect the laws of a country, the citizens and the environment, and to remedy any negative impacts in this regard. The problem with the AMV is that it combines the role of government and corporations, instead of separating them clearly. At the 2017 Mining Indaba, Mining Minister Daniel Kazungu Muzee confirmed that the "new mining Act borrows heavily from" the AMV.

Malawi

In September 2016, sixty civil society representatives gathered in Nairobi, Kenya, for the first AMV Civil Society Forum. From across the continent, the group met to analyse progress on the implementation of the AMV, agree strategies for AMV implementation by civil society, establish a working group to lead AMV-civil society engagement and foster an open, mutually beneficial and constructive relationship between Pan-African institutions and civil society.²⁵

By 2016, 24 countries had taken steps to realise the AMV and Malawi is one of the countries involved in this. Earlier in the year, with AMDC support, the Government of Malawi launched a contract negotiation capacity building programme and an AMV Communications Workshop was held in Lilongwe to raise awareness of the AMV. The AMDC stated that as Malawi proceeds with its CMV, the effective adoption of a new mining policy in a country should not – and must not – be restricted to politicians, lawmakers and technical departments: it requires awareness, support and interest from the broader host society to be truly successful. In recognition of this need for broad-based support, the Malawi advocacy and communications workshop focused on strengthening the media and civil society organisations' capacity to communicate on mining and mineral policy issues in Malawi.

More recently, in August 2016, the Government of Malawi participated in initial discussions on the CMV process in Addis Ababa, Ethiopia at the AMDC along with several representatives from parliament and civil society.²⁶

Namibia

Namibia is not usually associated with the term 'resource curse' (otherwise known as the 'paradox of plenty') which is used in connection with countries with an abundance

of natural resources, particularly minerals, but extreme poverty due, at least in part, to the diversion of extractive industry revenues to politically connected elites. Corruption is not rampant in Namibia's extractive industries. In fact, confirmed cases of corruption are few and far between.

While the Minerals Policy of Namibia explicitly seeks to bring international standards to bear, it is shy about regulating standards for fear of losing investors. By their very nature, the extractive industries deplete natural resources, are energy intensive and emit CO₂ into the atmosphere. These forces are inextricably linked with the issues of climate change, the loss of forests, biodiversity and wildlife, scarcity of potable water and desertification. Ensuring responsible conduct and sustainable development is a responsibility no state should shy away from. If some investors are deterred by tighter regulations, it will not be because they are shocked by such stipulations being in place. Some unscrupulous companies will seek to exploit nation states where the legal environment for the extractive industry is not benchmarked to international standards. Working with such companies is not in line with the Minerals Policy's vision of 'ensuring maximum sustainable contribution to the socio-economic development of the country'. Fortunately, recent legislation and plans have addressed the gaps regarding environmental protection. It is now time to address the social impact at the site level.²⁷

The following must be noted when implementing the AMV in terms of value addition in order to generate higher revenues for the country and to create more jobs, with regard to Namibia:²⁸

- Policy intervention introduced to incentivise value addition – an export levy bill was introduced in 2016
- Value Addition Committee (VAC) – to investigate value addition possibilities on minerals produced in Namibia. Government

agreed to proposal – and incorporated it into National Development Plan (NDP). VAC constituted, with leadership by Ministry of Mines and Energy. Chamber of Mines is member.

- Technical assistance is sought from Nordic Countries. Phase 1 of study done and report discussed at a national workshop. Phase 2 completed (January 2015), for discussions at second workshop.
- VAC Sub-Committee to visit selected mineral-based manufacturing industries to investigate what it takes to attract such investments. Examine options of policy interventions deliverable: Mineral Beneficiation Strategy for Namibia – road map for value addition of minerals to final consumer products.

Zambia

In April 2016, Ghana and Zambia committed to collaborating to ensuring best practices in mining in order to achieve the AMV of harnessing their natural resources for the benefit of their citizens. Therefore, Ghana has proposed that Zambia collaborate with the University of Mines and Technology (UMAT) in Tarkwa in the Western Region to build capacities in mineral exploration. These two countries also envision working towards producing ammonium nitrate, which is sourced from other countries for their mining industries in order to retain some of the revenues that are being repatriated.²⁹

In trying to analyse the progress made by Zambia in the domestication and consideration of the AMV in its mining legislation and policy, Publish What You Pay (PWYP), Zambia analysed its new Mines Act of 2015 and also the Mine and Mineral Development Policy of 2013.³⁰ The study found that despite recent amendments to mining codes, indicating commitment by government in domesticating the AMV, Zambia's policy and regulatory framework has not sufficiently been refer-

enced from the AMV. This became apparent as both the Minerals Development Policy of 2013 and Mines and Minerals Act of 2015 make no mention of the 2009 AMV.³¹

At the launch of the Mining Investment and Governance Review Report, Paul M. Chanda (Permanent Secretary of the Ministry of Mines and Minerals Development in Zambia) revealed that one of the Ministry's current projects is aimed at developing a five-year multi-partner programme to implement the AMV and Zambia's Vision 2030 entitled: "Implementing Zambia Vision 2030 and the African Mining Vision (AMV): a Preparatory Assistance Project for Mining Sector Capacity Development in Zambia".³²

Zimbabwe

For the government's part, Zimbabwe managed to develop a Draft Minerals Policy wholly based on the tenets of the AMV. However, this draft which was crafted in March 2013 is yet to be adopted.³³ In 2013, the South Africa resources Minister Advocate Ngoako Ramatlhodi also stressed that Zimbabwe had made great strides in the direction of the AMV by adopting value addition and beneficiation in its economic blueprint, ZimASSET.³⁴ In terms of the AMV's influence on the ZimASSET, the following comments are worth noting:³⁵

- There is a connection from the continental AMV to the regional Southern African Development Community (SADC) down to the local ZimASSET.
- The vision for Zimbabwe's mining sector is explicitly based on the AU's AMV.
- The principles informing various Zimbabwean beneficiation policies and legislation in recent years are consistent with a coherent continental (AU) and regional (SADC) framework.
- The AMV in Zimbabwe is built around several key clusters of the continental AMV, namely clusters eight (linkages and

diversification) and nine (mobilising mining infrastructure).

- The 2011 Action Plan for Implementing the AMV states that the vision aims to achieve: “A knowledge-driven African mining sector that catalyses and contributes to the broad-based growth and development of, and is fully integrated into, a single African market through:
 - Down-stream linkages into mineral beneficiation and manufacturing;
 - Up-stream linkages into mining capital goods, consumables and services industries;
 - Side-stream linkages into infrastructure (power, logistics, communications, water) and skills and technology development.”

The country has also enacted legislation to establish a Sovereign Wealth Fund and has taken steps to compel mining companies to increase beneficiation and value addition, primarily in the platinum mining sector. This is also in line with the AMV. However, serious gaps remain in practice in terms of promoting transparency and accountability. While the Ministry of Finance has repeatedly highlighted the need for the adoption of the Extractive Industries Transparency Initiative (EITI), this is yet to be done.³⁶ So far, there is ongoing policy engagement by the AMDC in 24 African countries (including Zimbabwe), which are at different stages of CMV development and implementation.³⁷

Meanwhile, the Zimbabwe Environmental Law Association (ZELA) cited the AMV in July 2012 as a policy framework to guide contract negotiations and demanded that diamond contracts should be renegotiated based on the principles espoused in the AMV.³⁸

Conclusion

At continental level, the endorsement of the AMV and its plan of action by Heads of State and Government are intended to reverse the

trend whereby Africa produces minerals but its people do not benefit as substantially as they should. Given its voluntary nature, and as a continental policy instrument, the AMV must be nationally implemented by African countries in order to become operational. The process of national implementation requires that the laws, policies and regulations applicable to the mineral sector and the national development planning system be aligned with the AMV. This, in turn, requires effective partnerships to be built between policy actors in the national government, the private sector, mining-affected communities and civil society.

The findings of this desk-top research are as follows:

- Ghana requested the AMDC’s assistance in 2014 in formulating a CMV and in 2015 CMV workshops involving a wide range of stakeholders were held and it commissioned the AMDC to study opportunities to diversify the country’s economy. No further developments could be traced through the desk-top research.
- In late 2016, Kenya launched its CMV process with a four-day retreat for government ministries, academia and civil society, followed by a two-day ‘national dialogue’ for communities from across the country. Further progress could not be ascertained through the desk-top study.
- In the case of Malawi, in August 2016, the Government of Malawi together with several representatives from parliament and civil society participated in initial discussions on the CMV process in Addis Ababa, Ethiopia at the AMDC.
- While the Minerals Policy of Namibia explicitly seeks to bring international standards to bear, it is timid about regulating standards for fear of losing investors.
- Zambia’s policy and regulatory framework has not sufficiently been referenced from the AMV.

- Zimbabwe managed to draft a Minerals Policy that is wholly based on the tenets of the AMV. However, this draft, crafted in March 2013, is yet to be adopted.

Critique of the AMV and recommendations

Some points of critique on the AMV include the following:

- While not denying the potential value of the AMV, having a single blueprint for mining across countries with very different colonial histories can be problematic.
- As with many other African Union initiatives, the AMV is not binding upon African countries – each country chooses to adopt the AMV or not because of its voluntary nature.
- The AMV is largely government, private sector and civil society driven which causes local and community resentment as civil society and governments assume the right to speak on behalf of communities. The initiative is therefore extremely paternalistic.
- The Ruggie principles referred to above (see point 4.2) are weakened by corporations assuming government’s functions, thereby weakening the ability of African states to manage their minerals and economies. This finds expression in governments and corporations entering into secret international agreements that often trump national constitutions and laws.
- Many African countries neglected modernising the mining legislation after decolonisation and bringing their legislation up to date in terms of the AMV. While an update in terms of a CMV should be supported, this neglect implies the incurrance of financial cost and also demonstrates a government’s irresponsibility.

The following recommendations are made:

- Closer attention should be paid to the Ruggie principles.
- The AMV as a normative framework should be seriously considered by African govern-

ments towards creating a country-aligned adoption and implementation.

- A lot of time and energy are spent on meetings and workshops regarding the AMV but unfortunately the process, i.e. policy adoption and action, is not followed through to its logical conclusion.

1 Luxemburg, Rosa (2003): *The Accumulation of Capital*, London, 2003, p. 394. 2 *Ibid.*, p. 395. 3 *First Quantum, Solwezi*, North Western Zambia. 4 *Barricks Gold, North Mara Gold mine, Tanzania – conflict with local communities*. 5 Klare, Michael (2012): *The Race for What is Left, The Global Scramble for the World’s Last Resources*, New York, 2012. 6 Kempf, Hervé (2007): *How the Rich Are Destroying the Earth*. White River Junction, Chelsea Green Publishing Company, 2007. 7 *International Labour Organisation* (without year): *Youth Unemployment in Africa*, available at <http://www.ilo.org/addisababa/areas-of-work/youth-employment/lang--en/index.htm>. Last accessed: 11 January 2018. 8 Disparte, Dante/Wagner, Daniel (2016): *The Rise of Economic Nationalism, Risk Management*, 2 February 2016, available at <http://www.rmmagazine.com/2016/05/02/the-rise-of-economic-nationalism>. Last accessed: 11 January 2018. 9 Colombo, Umberto (2000): *The Club of Rome and sustainable development, 2000*, available at <http://donellameadows.org/archives/the-club-of-rome-and-sustainable-development/>. Last accessed: 11 January 2018. 10 Zebich-Knos, Michele (without year): *Global Environmental Conflict in the Post-Cold War Era: Linkage to an Extended Security Paradigm*, available at <http://www.gmu.edu/programs/icar/pcs/zebich.htm>. Last accessed: 11 January 2018. 11 Klare (2012). 12 Scholz, Kay-Alexander (2016): *Club of Rome’s New Book Reads Like an Eco Manifesto*, *Deutsche Welle*, 14 September 2016, available at <http://www.dw.com/en/club-of-romes-new-book-reads-like-an-eco-manifesto/a-19549957>. Last accessed: 11 January 2018. 13 Rodney, Walter (1972): *How Europe Underdeveloped Africa*, London, 1972. 14 Heath, Elizabeth (without year): *Berlin Conference of 1884–1885*, *Oxford Reference*, no date, available at <http://www.oxfordreference.com/view/10.1093/acref/9780195337709.001.0001/acref-9780195337709-e-0467>. Last accessed: 11 January 2018. 15 Lowy, Michael (1996): *Why Nationalism?* in: Milliband, Ralph/Panitch, Leo (eds): *Socialist Register 1993, Real Problems, False Solutions*, London, 1996, pp. 132–133. 16 O’ Keefe, Ed (2013): *Guest Post: African mining changes the tune, but will actions follow?* *Financial Times*, 12 February 2013, available at <https://www.ft.com/content/fb9815a0-357d-3048-bcf5-953c60543038>. Last accessed: 11 January 2018. 17 Reinert, Erik (2007): *How Rich Countries got Rich and Why Poor Countries Stay Poor*, London, 2007. 18 Miller, John W. (2011): *The \$200,000-a-Year Mine Worker*, *The Wall Street Journal*, 16 November 2011, available at <https://www.wsj.com/articles/SB1001424052970204621904577016172350869312>. Last accessed: 11 January 2018. 19 Chang, Ha-Joon (2011): *23 things they never told you about capitalism*. New York, 2011. 20 Van Onsellen, Charles (1980): *Chibaro: African Mine Labour in Southern Rhodesia, 1900–1933*, Johannesburg, 1980. 21 Davies, Rob/Saunders, David (1987): *Stabilisation Policies and the Effect on Child Health in Zimbabwe*, in *Review of African Political Economy*, Vol. 14 (38), pp. 3–23. 22 George, Susan (1992): *The Debt Boomerang. How Third World Debt Harms Us All*. London, 1992, pp. 2–3. 23 Adjetej-Kofi Mensah, Nii (2016): *Ghana National Association of Small Scale Miners (GNASSM) Confers with Obuasi Artisanal Miners – ASMAN*, 17 May 2016, available at <https://www.modernghana.com/news/692552/ghana-national-association-of-small-scale-miners-gnassm-co.html>. Last accessed: 11 January 2018. 24 “The Act is intended to streamline the country’s mining sector and open the gates for its development as well as ensure the environmental conservation

and sustainable development in the mining sector. It also seeks to address the key gaps in the Mining Act of 1940, and align the sector to the latest global trends such as value-addition and the use of technology to spur investor interest. The Cabinet Secretary for Mining has termed the Act as one of the most “progressive mining laws in the continent”. (Kadima, Anne (2016): Exploring: A detailed look at Kenya’s Mining Act, 15 August 2016, available at <http://www.oraro.co.ke/alert/exploring-a-detailed-look-at-kenyas-mining-act-2016>. Last accessed: 11 January 2018.) **25** Etter-Phoya, Rachel (2016): Malawi participates in first Africa Mining Vision Civil Society Forum in Nairobi, 14 September 2016, available at <https://mininginmalawi.com/2016/09/14/malawi-participates-in-first-africa-mining-vision-civil-society-forum-in-nairobi/>. Last accessed: 11 January 2018. **26** Ibid. **27** Hopwood, Graham (ed.) (2013): Namibia’s New Frontiers Transparency and Accountability in Extractive Industry Exploration: Anti-Corruption Research Programme, available at http://ippr.org.na/wp-content/uploads/2013/06/Extractive%20Industry_Mining_LOW.pdf. Last accessed: 11 January 2018. **28** Malango, Veston (2015): Implementing the AMV in the context of Africa’s development aspirations: between challenges and opportunities, with a focus on: How the private sector (local & foreign) can contribute towards harnessing the full potential of natural resource endowments and contribute to inclusive economic growth in Africa, 24 February 2015, available at <http://www.un.org/en/africa/osaa/pdf/events/20150224/malango.pdf>. Last accessed: 11 January 2018. **29** Abdul-Rahaman, Salifu (2015): Ghana, Zambia push for success of African Mining Vision, The Ghanaian Times, 17 April 2015, available at <http://www.ghanaiantimes.com.gh/ghana-zambia-push-for-succes-of-african-mining-vision/>. Last accessed: 11 January 2018. **30** Publish What You Pay (2017): Publish What You Pay Zambia 2015–2017 Narrative Report – June 2015 to June 2017, available at <http://www.publishwhatyoupay.org/wp-content/uploads/2017/06/Paying-taxes-is-a-pain-PWYP-Zambia-2-year-Report.pdf>. Last accessed: 11 January 2018. **31** There has been some degree of policy inconsistency in Zambia over the past decade, due to frequent changes in government and two sitting presidents passing away in office. **32** Chanda, Paul M. (2016): Operations of the Ministry of Mines and Minerals Development, available at <http://pubdocs.worldbank.org/en/842061479933805252/Paul-Chanda-OPERATIONS-OF-THE-MINISTRY-OF-MINES-AND-MINERALS.pdf>. Last accessed: 11 January 2018. **33** Makore, Gilbert. (2014): Reflections on five years of the Africa Mining Vision, 4 December 2014, available at <https://zimbabwextractiveindustry.wordpress.com/tag/amv/>. Last accessed: 11 January 2018. **34** Chronicle (2015): Call to hasten African Mining Vision implementation, 4 March 2015, available at <http://www.chronicle.co.zw/call-to-hasten-african-mining-vision-implementation/>. Last accessed: 11 January 2018. **35** Baissac, Claude/Maubrey, Ferdinand/Van der Merwe, JP/Van Onselen, Jesica (2015): Zimbabwe’s Beneficiation Policy Part 1: Understanding the drivers and objectives, available at http://www.eunomix.com/cmsAdmin/uploads/eunomix-research-understanding-the-drivers-and-objectives-of-beneficiation-policy-in-zimbabwe-sep-2015_001.pdf. Last accessed: 11 January 2018. **36** Makore (2014). **37** Oxfam (2017): From Aspiration to Reality. Unpacking the Africa Mining Vision, 2017. **38** Federal Ministry for Economic Cooperation and Development (2014): A Gap Analysis of Africa Mining Vision Implementation in Liberia and Sierra Leone, available at <http://www.ipa-cologne.de/reports/bennett-et-al-2014-AMV-Gap-Analysis-160714.pdf>. Last accessed: 11 January 2018.

Amani Mustafa Mhinda

THE AFRICA MINING VISION IN TANZANIA: IS IT A STEP DOWN OR A WAY FORWARDS?

In the 1990s, resource-rich countries in Africa took on an economic reform path to attract Foreign Direct Investment (FDI). The structural reform package included liberalisation of capital movement, provision of economic incentive regimes and privatisation of State-Owned Enterprises (SOEs). With this international character, these reforms focused primarily on enhancing the secure supply of commodities for these global capitalist enterprises.

These strategies have ironically not managed to secure socially and economically integrated economies. The current export market dispensation has led to limited windows of opportunity for Africa to shift mineral policy from its current rent-seeking approach to building resilient and competitive economies and a possible reduction in poverty as envisaged in independence dreams.

The resource-rich countries including Tanzania have struggled to benefit from increased FDIs, new mineral discoveries, expanding financial facilities as well as mineral exports. From the 1990s to mid-2000, mining companies notably made huge profits due to favourable commodity prices and weak fiscal regimes in the host countries, leaving communities with little or no benefits at all. Most communities lack decent jobs and have poor social services including health, water and education facilities. This paradox between increased corporate profits and low fiscal returns to governments confirmed a failure by the liberalised mining regime to deliver on its economic promises.

The Africa Mining Vision (AMV) was adopted in February 2009 by the African Union (AU)

Heads of State and Government as a home grown blueprint for Africa's mineral development. It envisages a "transparent, equitable and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socio-economic development".¹ It broadly focuses on structural transformation of the minerals' sector through enhanced linkages with the local economy, increased value addition, promotion of local citizen participation and human resources development. The AMV has identified building blocks for effective governance of the mineral resources sector on the continent. These are: peace, security and political stability; clear, transparent, predictable and efficient legal and regulatory frameworks to ensure mineral wealth creation; fair and equitable fiscal regimes to facilitate equity in the distribution of benefits; credible public participation to enhance ownership and shape-shared development outcomes; transformational leadership to harness mineral wealth with a view to building resilient, diversified and competitive economies; and strong institutions to ensure effective management of the sector.

As an aspirational and transformational statement of goals and principles, the AMV represents a development blueprint that transcends the confines of the extractive sector. It entails a multi-/cross-sector approach to mineral development policy, especially the link with industrial and trade policy, infrastructure development, empowerment of local enterprises and skills formation. This is a paradigm shift away from a resource development model anchored in

extractivism and export economies. The shift in official African perspectives occurred in a wider global context where countries in South America took similar steps to correct the imbalances between global corporate enterprise and host countries. In many ways, the late Venezuelan President, Hugo Chávez, was at the centre of the rebirth of resource nationalism and a firm promoter of the concept. During his time in office, he nationalised a number of mining operations – an example that has been followed by the Bolivian President, Evo Morales, Cristina Kirchner of Argentina and the President of Ecuador, Rafael Correa.

The Second AU Conference of Ministers Responsible for Mineral Resources Development, held in Addis Ababa in December 2011, approved the Action Plan. The Action Plan contains nine programme clusters and an aggregate of 136 actions across a wide range of issues. As a road map, the AMV Action Plan describes the different types of interventions at national, sub-regional and continental levels for the realisation of the AMV values and tenets. The road map can be an efficient tool for planning, strategy-setting, programme delivery, identification of boundary partners, partnership building and division of labour.

The alignment of the AMV to a country's overall development vision requires member states to promote and implement a new paradigm that serves medium and long-term objectives for structural economic transformation and inclusive growth. That is why the Country Mining Vision (CMV) was conceived as a tool for the domestication of the AMV at national level. As a multi-stakeholder consultative process, the CMV seeks to reduce a mismatch between public expectations and the economic, social and political reality. The CMV is an institutional process, a political exercise and a tool for facilitating the translation of the AMV tenets towards a shared national vision. It calls for a critical review

of mineral economy including maximising revenue streams, job creation, technology development, knowledge and resource-based industrialisation as well as environmental standards and social norms.

To achieve the promises and opportunities described in the AMV, the CMV implementing countries ought to address several notable challenges. These include:

- Lack of common understanding of economic, social and environmental impacts of extractivism.
- Lack of political will.
- Poor fiscal and economic planning practices e.g. focusing on neo-liberal market economy and FDI.
- Lack of economic linkages between mining and other nature-based economies.
- Inadequate geological information and data on the mineral resources.
- Limited transparency in revenue collection and weak accountability of resource revenue use.
- Fragmented and unequal engagement between government, citizens and the private sector.
- Absence of robust civil society community in the AMV/CMV deliberations.
- Poorly resourced geological and mining regulatory institutions (financial and human resources).
- Inadequate political oversight capacity (legislature and public watchdogs).
- Redistribution mechanism to allow for the benefits to trickle down.

Political economy of the mining sector in Tanzania

Tanzania counts among one of the countries with an abundance of mineral resources. The existing geological data indicates the existence of (a) metallic mineral deposits (gold, iron ore, nickel, copper, cobalt and silver), (b) gemstone deposits (diamonds, tanzanite, ruby and garnets), (c) industrial

mineral deposits (limestone, soda ash, gypsum, salt and phosphates), (d) energy source minerals (coal and uranium) and (e) construction minerals (aggregates, gravel, sand and dimension stones).

In 2016, exports of minerals were valued at USD 1.57 billion – of which gold accounted for USD 1.45 billion, out of a USD 5.69 billion export total. However, most of these resources are exported in their raw form without being processed, resulting in the mining sector contributing less than 4% to the Tanzania's gross domestic product.

The performance of the industry over the years has been determined by various political,

hands of the state, under the National Development Corporation (NDC) and State Mining Corporation (STAMICO). These institutions were empowered to engage in exploration, prospecting, research, exploitation and marketing of the minerals. Large-scale mining was very limited and often had to be undertaken in partnership with either NDC or STAMICO. In addition, the 1979 Act provided the legal basis for small-scale mining operations contrary to the popular notion that these would then operate unregulated. This was an important point in history, as Tanzania formally recognised artisanal and small-scale mining as a key economic activity.

The performance of the industry over the years has been determined by various political, social and economic interests that characterised different phases; namely, colonial governance, African socialism and, most recently, pro-market investment policies.

social and economic interests that characterised different phases; namely, colonial governance, African socialism and, most recently, pro-market investment policies. In discussing good governance of the Extractive Resources Sector, Dietsche notes that 'economic development is pre-conditioned by political and social institutions'.² These institutions and political ideology shape or influence the economic architecture of the nations. This is particularly true in light of the case of Tanzania which has seen several economic reforms since 1960s.

Following the Arusha Declaration in 1967, the government started to promote state monopolisation. It acquired majority shares in mining companies and restricted foreign ownership of property. The first president, Julius Nyerere, had a broader vision for emancipation and self-reliance through national control of natural resources. The Mining Act of 1979 put mineral resources stewardship in the

Marking the end of the Nyerere era in the mid-1990s, Tanzania opened up for a neoliberal market economy under the advice of Bretton Woods institutions. The mining sector was one of the key sectors that attracted interest for FDI. The Africa Strategy for Mining Technical Paper in 1992, developed by the World Bank and the International Monetary Fund, played a significant role in financing and designing the mining sector in Tanzania. A series of new acts and policies were put in place to attract foreign investment, the underlying objective being to promote the large-scale extraction of the country's mineral reserves.

In 1998, Tanzania changed its Mining Act, which provided for ministerial powers to enter into Mining Development Agreements (MDAs) with private foreign companies to develop mineral potential. In addition to a legal and regulatory framework development, the reforms of the fiscal regime also introduced

fiscal incentives that aimed at attracting both local and foreign investment into the sector, such as tax holidays, removal of export duty and removal of foreign exchange controls, among others. Government participation was removed from all commercial aspects of the sector, remaining as a sector regulator only.

During the period following the reforms, the country witnessed a corporate boom with more than 50 foreign companies and over 250 local companies acquiring mineral rights of over 2,200 mineral prospecting licenses and 170 mining licenses. The changes in the investment laws led to an increase of FDI flows from USD 12 million in 1992 to USD 1.4 billion in 2004. It is worth noting that restructuring in Tanzania was based on a maximising revenue generation model, with little thought for the economic diversification and any linkages. By 2005, it was evident that the mining sector was not living up to the promises given by its champions like the World Bank and its sister institutions. The inadequate legal and institutional structure on the back of the policy prescriptions led to negative economic impacts.

A mining sector review committee chaired by a former Deputy Minister for Energy and Minerals, Lawrence Masha, revealed in 2006 that mining companies in Tanzania were using legal loopholes to avoid paying billions of shillings in taxes. At least six large-scale mines in the country were constantly declaring commercial losses whilst they were actually making profits. The Tanzania Revenue Authority pegs the tax losses at USD 207m (approximately 250 billion Tanzania Shillings) for the period of 2006 to 2007.

Tanzanian mining sector reforms

In 2007, the then President, Jakaya Kikwete, appointed a presidential commission headed by Judge Mark Bomani to head a commission to investigate the performance in the mining

sector. The Bomani Commission Report (2008) pointed out that, despite the presence of a huge amount of mineral reserves, the contribution of this sector to the national economy development was insignificant. It recommended a number of measures to increase the Tanzanian government's stake in the mining industry. These included increased royalties and government stakes,

The inadequate legal and institutional structure on the back of the policy prescriptions led to negative economic impacts.

reduced tax incentives, timely and fair compensation for communities displaced by mining as well as procedures for repairing environmental damage. The commission shaped the new Mineral Policy of Tanzania in 2009, took back state control and maximised revenues by removing tax exemptions. The Bomani Commission recommended that the government increase transparency and adopt a much wider mining sector agenda beyond rent-seeking. To fully benefit from its mining sector, the Tanzanian government was to therefore expand mineral extraction, build up related industries and, at the same time, add agriculture (the backbone of the country's economy) into the growth and development equation. This corresponds to the spirit and values entrenched in the AMV as a transformational vehicle for the region's economy.

Tanzania's parliament passed a new mining law in 2010, making comprehensive provision for the prospecting of minerals, mining, processing and dealing in minerals and for the granting, renewal and termination of mineral rights, the payment of royalties, fees and other charges. It increased the rate of royalties paid for minerals and required the government

to own a stake in future mining projects. Tanzania has since been struggling to renegotiate new mineral development agreements previously signed. One of the main reasons is the stabilisation clauses in the existing mineral development contracts, which do not allow the host country to alter terms and conditions therein. The law could not affect the previous contracts which meant that mining companies that had contracts before 1998 were protected. Despite numerous attempts to amend some provisions of the MDAs, this was legally unattainable. The only way was through a more radical political approach. In March 2017, President Magufuli banned the export of gold concentrates and ores, aiming at strengthening the mineral processing inside the country. Up to now, mineral concentrates containing gold, copper and other metals produced in Tanzania have usually been sold to specialised smelting companies overseas for refining.

The ban has exposed major issues within Tanzania's mining sector and has resulted in a high-profile dispute between the government and Acacia, the largest mining company operating in Tanzania. The government has publicly accused Acacia of seriously under-reporting the amount of concentrate it exports, after two committees – made up of academics, lawyers and economists and established by the government – revealed that a sample of containers from Acacia contained seven times the amount of gold declared by the company, as well as double the amount of silver and almost a third more copper.

In July 2017, Tanzania's parliament passed three new laws that introduced widespread changes to the legal and regulatory landscape of Tanzania's extractives industry. They conferred on the government the right to renegotiate existing extractive contracts where the terms are deemed "unconscionable". Furthermore, the laws demand companies operating in Tanzania to seek

legal redress through local court systems as opposed to the international arbitration as with the MDAs. The Tanzanian government will take a 16% free carried interest (equity) in all mining operations, bringing commercial operations back to the state ownership. Royalties on both uranium and gold have been increased, while mandatory obligations for local processing of minerals (value addition) have been set, in another attempt to capture more value.

This development has been well received by the general public, despite notable scepticism towards the new wave of reforms by some sector analyst. There are many reasons for this divided reception, including historical, structural and legal limitations. The economic model pursued by Tanzania was export-oriented, therefore making its economy vulnerable to the volatile global market prices and demands.

Africa Mining Vision (AMV) - domestication challenges for Tanzania

Political Will: the alignment of the AMV to a country's overall development vision requires member states to promote and implement a new paradigm that serves medium and long-term objectives for structural economic transformation and inclusive growth. Due to the competitive nature of the national and regional politics, Tanzania has not been known for its long-term economic planning. The focus has been placed on winning the hearts of the voters with the up-coming elections in mind, meaning that short-term delivery of electoral promises overrides the long-term national interest. Focusing on sectoral reforms rather than broad-based structural transformation has reduced the achievement of sustainable economic drive. Tanzania should seek to explore domestication in the spirit and to the letter of AVM, instead of introducing partial sectoral reforms.

Tanzania has not fully embarked on developing a CMV as the above-mentioned tool for domestication. To move forward with the multisector agenda of the CMV, political buy-in as well as a state-society dialogue are necessary. The CMV provides an opportunity for the country to contextualize its own ambition and development goal. However,

AU protocols, member state obligations are carried forward by the parent Ministry; in the case of Tanzania this is the Ministry of Energy and Minerals. From 2005 to 2016, frequent changes of leadership and technical experts in the Ministry of Energy and Minerals have made AMV/CMV difficult to be institutionalised.

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there is competition between the AMV/CMV and several other frameworks promoted by external development partners in Tanzania. These include the Natural Resource Charter (NRC) and the Extractive Industry Transparency Initiative (EITI). The Tanzanian Government seems overwhelmed by the competing frameworks.

AMV/CMV lacks the funding mechanism to support its members to fully institutionalise the values as well as the personal political backing. While AMV/CMV looks appealing on paper, the government finds limited incentives compared to the other frameworks. The NRC process led by Dr Paul Collier had cordial relations with former President Jakaaya Kikwete's regime. The initiative was coordinated by the Uongozi Institute (a governmental policy think tank) and was funded by Natural Resource Governance Institute (NRGI) which is inked to Collier. The Tanzanian Extractive Industry Transparency Initiative (TEITI) was initiated in 2009 and Judge Paul Bomani, the Chairman, had access to the corridors of the highest political office in the country which gave some clout to the TEITI process.

In comparative terms, AMV/CMV has found it difficult to source influential champions so it lacks similar political backing. According to

Public Participation and Dialogue: the fact that most of the reform process was government-centred and did not include civil society and, most importantly, local communities as parties to the process, has also been a cause for concern. It is not appropriate to assume that government interests are the same as the interests of the public at large. A national public consultation platform is not present at the moment, therefore a critical linkage to the citizen participation and endorsement is missing. There is very little public awareness of the AMV, making it an isolated subject within mining elite circles. Civil society has a critical role to play in implementing and monitoring the AMV, particularly at national level. Social movements including non-governmental organisations (NGOs), faith-based organisations, trade unions and community-based organisations (CBOs) can use the AMV as a transformative agenda.

The extractive sector needs new platforms for improved public participation in decision making and benefits sharing: Tanzania has made progress in furthering public involvement in law-making through parliamentary committee hearings, thus increasing the space for community and civil society organisations. However, there is much more the government could do to involve citizens

in the early stages of crafting the laws rather than waiting for parliamentary interventions. Attention could be paid to recognising and harnessing the positive potential of the Tanzanian state institutions, while promoting democratic norms to encourage cooperative thinking and attitude for the mining sector.

Creation of economic linkages: one of the most transformative proposals in the AMV relates to the creation of economic linkages in the mineral value chain, where mining catalyses other industries to diversify the economy and create jobs. The adoption of the AMV in 2009 paved the way for the growing opposition to Africa's role as supplier of mineral commodities to the world. More specifically the AMV sets out a vision for the development of mineral-based linkages, "A knowledge-driven African mining sector that catalyses and contributes to the broad-based growth and development of, and is fully integrated into, a single African market through: down-stream linkages into mineral beneficiation and manufacturing; up-stream linkages into mining capital goods, consumables and services industries."³

Agriculture is the mainstay of Tanzania's economy with over 44 million hectares of arable land. Almost 70% of the poor population live in rural areas, involved in the subsistence farming sector. Integration of the mining economy and agriculture has been challenging, as mining sector reforms have continued focusing on the narrow rent-seeking approach. For Tanzania to extract value, there is a need for more in-depth thinking about the role that mining can play in agricultural development. The transfer of technical expertise and the use of industrial minerals as inputs into farming can be areas for research and policy analysis. In 2012, a study by the University of Dar es Salaam, entitled "The Role of Mining in Industrialisation in Tanzania and Implications for Structural Transformation Agenda", revealed

that a weak link exists between the mining and manufacturing sectors. To strengthen linkages between the two sectors, Tanzania has to craft the right policies or strategic plans for leveraging extraction and processing of minerals into economy-wide development outcome. The need to look at various policies related to trade and investment, industrial development, research and human resources development should be prioritised.

Institutions and coordination: the realisation of the AMV requires a significant upgrade in skill levels, in terms of variety, depth and quantities. There is also a lack of platforms for promoting greater interaction between knowledge institutions and industry. Regulatory authorities charged with administering and managing mineral operations and collecting revenues will require a much broader skill. Companies employ the best of

Parliaments, civil societies and media are to play a crucial role in holding the government accountable as well as offering advice on the implementation.

human capacity in order to achieve maximum profits, while governments struggle to find and retain the most competitive capacity. Most state institutions responsible for the mining sector do not have adequate human and material resources capacity. However, properly resourced state institutions are key to the development of the industrialised and competitive economy. The institutions that provide supervision or act as public watchdogs need to toughen up to enhance transparency and accountability. Parliaments, civil societies and media are to play a crucial role in holding the government accountable as well as offering advice on the implementation. These institutions have struggled to provide

the leadership due to limited political influence and limited human and resource capacities.

Development Financing: the mineral sector development requires huge public investments in human, financial and material resources. One of the biggest criticisms of AMV has been the lack of financing mechanisms and the over-reliance on donors. This has been highlighted by some sector critics as an indication of lack of serious commitment by the AU member states. Tanzania has struggled to finance its own economic development due to low budgets. The country continues to depend on donor communities for a large part of its development budget. Since the 1990s, mining sector development has been financed by the World Bank and the related Bretton Woods financing institutions as well as donor countries like Canada, Australia and United Kingdom.

Mineral sector development reforms in Tanzania have since been donor-driven and project-based. The absence of a strategic policy focus in the sector can be partly explained by the lack of funding which has limited mandate and interest. Most of the sector frameworks including EITI, NRC and the Mineral Sector Reform Program depend on external support which limits divergent national policy choices.

Resource mapping and geoscience: Tanzania is yet to map its geology in a comprehensive and systematic manner. Geological data, including maps and mineral resources inventories, are the essential basis for making key policy decisions as well as regulating the mineral sector. However, the production, maintenance and management of geological and mineral information data requires a lot of fieldwork and the use of modern exploration technologies, as well as skills that are generally in short supply in Africa.

In 2014, British Geological Survey International (BGSi) led international consortium was contracted by the World Bank to carry out a

high-resolution, airborne geophysical survey totalling some 612,000 line km over a large portion of northern Tanzania. It also provided training to geoscientists from the Geological Survey of Tanzania (GST) as part of a multi-disciplinary geothermic mapping programme involving geological mapping, geochemical surveys, interpretation of airborne data and laboratory upgrade. This has resulted in a positive effort in the resource assessment, which has come hand in hand with the development of an online mineral cadastre. This provides important information on licences with some limited geological and geoscientific information. However, it is crucial for Tanzania to use the geological and mineral information database as tools for better decision-making and as leverage for mineral contracts negotiation. It is only by understanding the geological potential that countries can begin to know the real value of the product, its quality and lifespan. It helps to have this information for the country negotiation team to ably negotiate the most beneficial contracts. Not having sufficient verifiable geological data forces the country negotiation team to have to rely on information provided by the companies which weakens their bargaining power.

Artisanal and small-scale mining development: the AMV has a separate work-stream for addressing artisanal and small-scale mining (ASM). It recommends key actions like developing policies, laws and regulations, standards and codes to promote a viable and sustainable ASM sector, and where possible, embed ASM into mainstream rural development strategies. ASM in Tanzania represents a vital livelihood and income source for the local population. An estimated 1.5 million people in Tanzania are directly involved and are benefiting from small-scale mining operations. Artisanal and small-scale miners in Tanzania produce mainly gold, diamonds and different gemstones including: tanzanite,

ruby and sapphire as well as base metals, salt, aggregates, gypsum, kaolin, sand, lime, dimension stones and coal.⁴

In comparison with other African countries Tanzania has a more organised and vibrant

with respect to land access and support services were increasingly marginalised in practice even though they continued to be given credence in policy and political discourse. Most areas where large operations occur were previously occupied by the small-scale operators. This has been source of bitter conflict between the two economic sub sectors, and has given rise to the recent attempt by Government to demarcate exclusive areas for small-scale mining operations.

Despite its potential, the ASM sub-sector is beset with problems to do with sustainability due to being neglected both locally and on the international development agenda.

ASM sector. ASM harnesses the potential to contribute significantly to Tanzania's mineral production. It could thus contribute a lot more to the country's development by providing jobs and slowing down rural-urban migration. Despite its potential, the ASM sub-sector is beset with problems to do with sustainability due to being neglected both locally and on the international development agenda. The mineral sector reforms of the last ten years have focused on formalising the small-scale mining through the adoption of licensing instruments. There is still, however, a need for integrating informal ASM activities into the formal economic system through improving access to financial, technical and marketing support for artisanal and small-scale miners.

Even though ASM constitutes a significant employment opportunity for several cadres of citizenry in mineral-rich developing countries, its typical informality makes estimating the potential contribution to national development and growth difficult. The classical fiscal tracking requires a formalised environment as payment and revenue audits are impossible without proper record keeping. The present low level of formalisation in the ASM sector is therefore a serious obstacle to transparency and accountability.

The rapid development of capital-intensive large-scale operations in Tanzania created a situation whereby artisanal mining interests

Value addition and local content: the past decade has seen a renewed recognition in African policy circles of the urgent need to end the dominance of raw material commodity exports in Africa's economies and the imperative for the structural transformation of Africa's economies, founded on industrialisation. Tanzania's mining legacy inevitably brings to the fore important issues about the value addition and local business participation in the mining sector. Mining is by and large a internationally-owned sector with little involvement on the part of the local businesses. Most of the commodities were intended for export as a way of gaining foreign currency exchange earnings.

In 2010, Tanzania passed laws to ban the export of raw materials in an attempt to address the lack of value addition and processing segment of the mineral value chain. On the back of this, gold concentrates by Acacia Mining Company were held by tax authorities in 2017. The companies have provided various reasons for the raw export of the commodities including poor infrastructure, energy supply, limited human capacity and knowledge base. Tanzania needs to prioritise the development of local businesses to get more involved, which would mean they would be taking stewardship of their economy. Tanzania is one of the least industrialised countries in the world and this

is one of the greatest challenges for local procurement. This requires short-term and long-term development strategies as opposed to the current local content requirement which focuses on numbers.

In recent years, there has been a proliferation of local content policies in an attempt to stimulate local supply chain development and linkages in the mining sector across the world. Those policies (mandatory or voluntary) have had mixed results, in part because of the disconnect between the regulatory frameworks and initiatives taken at the practical level to implement those policies. The mining companies have nevertheless gradually made efforts to strengthen local content – to improve relations with the government, for general branding purposes and in a move to save costs after gold prices started declining in 2012. While few or no mining companies reported on local content initiatives in 2010, this had become mainstream in 2015, and, in the case of Acacia (formerly Barrick), central to the company's CSR reporting.

East Africa Community extractive policy development: Tanzania, Uganda, Rwanda, Burundi and Kenya all have huge natural resource bases including minerals, oil and natural gas. Tanzania is the most mature mining economy amongst its peers with over 30 years of experience in commercial mining. Despite the fact that some companies operate in both countries, there is no common approach or strategy for mineral sector in the region.

The partner states are concerned that mineral exploitation has been focused on production for export without additional processing to add value, in the form of intermediate goods or final products. The East African partner states likewise have considerable potential for development and value addition including gold, industrial minerals gemstones and the 3T minerals. However, minerals are not being exploited in the best way possible due to a lack

of regional coordination, which could, among other things, enhance synergies and information-sharing.

The East Africa Community Secretariat has been mapping the mining policies and laws of the partner states, as part of the mining sector harmonisation. Kenya, Tanzania, Rwanda and Uganda have been revising their mining policies and/or laws during the mapping exercise. However, a harmonisation has not been achieved by EAC to date due to the competitive nature and priorities of the members states. Tensions between Tanzania, Uganda and Kenya over various trade-related issues including the Hoima-Tanga oil pipeline has had a detrimental effect on the process. Another challenge as regards closer cooperation in the mining sector includes a lack of infrastructure such as roads, railways and reliable electricity, which reduces the possibility of optimal exploitation of the resources.

Conclusions

Tanzania has taken huge steps forwards in ensuring that it does benefit from the mining sector, through policy reviews and improving institutional capacities. The reforms however seem to have been driven both by internal and external drivers rather than progressive strategic vision. Tanzania can increase its national control and optimal value from the sector if it addresses the following:

- Political will is important for the delivery of the AMV – this is currently lacking in Tanzania. Despite various elements of the AMV being adopted in the piecemeal reforms between 2005 and 2017, it has been based on narrow sectoral demands. The AMV requires a champion for it to make an impact on the economy. It is wrong to assume that the Ministry of Mining can be the only body to deliver this vision, since it encompasses multiple sectors with a far-reaching impact on the economy. Due to the need for significant

- resources, coordination between various agencies of government is important and it is also imperative to involve the president. However, this can present a threat as the change in government and short-term political interest can override the deliberate and systematic achievement of the AMV. It is therefore important to have a national consensus or dialogue about the AMV.
- Mining is inherently finite because it is a non-renewable resource industry. It is worth noting the volatile nature of the mineral market and limited lifespan as important reasons to think beyond the taxation and export models. The continued focus on revenues alone in the mining sector reforms obscures the bigger picture behind the spirit and purpose of the AMV. Tanzania ought to move beyond rent-seeking and maximising tax revenues to a broader economic discussion as articulated in the AMV.
 - Linkages and diversification are the cornerstones of the AMV, resulting in the complete structural transformation of the economy. Linkage development requires the right policies and strategies which may include identifying minerals with greater potential for national and regional value chains. To achieve this, Tanzania has to support a multisector approach to mineral sector development. The current mining policy 'enclave' continues to reduce the trickle down and sideways beneficiation. The mining sector as it is now will have limited economic impacts while retaining huge social and ecological concerns.
 - A knowledge-driven mining industry is beneficial to both the Tanzanian Government and the private sector. It is important for the country to invest in technical education and research to fully draw benefits from the sector. The AMV advocates a knowledge-driven African mining sector that is internationally competitive. Tanzania needs to develop a strong and competitive human resource base to prevent jobs being taken by foreign nationals.
 - Tanzania has a rich geological history which runs several decades back before the arrival of the colonial powers. However, there is still very little data on mineral resource potential, which has resulted in a reliance on the information provided by companies. GST has been involved in some geoscientific mapping to assess the nature and composition of the existing resources. There have been notable resource and technological challenges which need to be addressed to make GST more effective and relevant. For Tanzania to make better policy decisions and to negotiate sustainable mineral development contracts, it requires a comprehensive geological and mineral information database.
 - The Tanzanian Government needs to measure to what extent small-scale mining has been integrated into a broad rural development strategy. It is unclear as to how ASM fits in the broader economic aspirations including creating jobs and reducing rural based poverty. By incorporating prevalent practices and context-dependent variations in some of the crucial organisational components, it will be possible to design a robust and resilient regulatory framework for artisanal mining.

It is unclear as to how ASM fits in the broader economic aspirations including creating jobs and reducing rural based poverty.

¹ African Union (2009): AMV – Africa Mining Vision, p. 5, available at <https://au.int/en/ti/amv/about>. Last accessed: 28 November 2017. ² Dietsche, Evelyn (2017): Political economy and governance, WIDER Working Paper 24/2017, p. 4, available at <https://www.wider.unu.edu/publication/political-economy-and-governance>. Last accessed: 11 January 2018. ³ African Union (2009), p. v. ⁴ Fisher, Elanor (2007): Occupying the Margins: Labour Integration and Social Exclusion in Artisanal Mining in Tanzania, in: Development and Change, Vol. 38 (4), pp. 735–760.

Andreas Bohne and Michael Reckordt

UNITED IN CONTRADICTION

THE AFRICA MINING VISION AND THE GERMAN GOVERNMENT'S RAW MATERIALS STRATEGY

Over the last few years, raw materials policy has become a key policy area and, in the process, social and ecological implications have been clearly side-lined in favour of economic interests within political framework programmes such as the Africa Mining Vision (AMV) and the German Government's Raw Materials Strategy. However, the underlying capitalist logic of exploitation of these documents entails some conflicts of interest and contradictions.

On the one hand, German and European raw materials diplomacy is primarily concerned with securing the supply of resources to the domestic market and thus safeguarding their own competitiveness. With the help of their economic, foreign and development policies, EU member states are attempting to protect the status quo and safeguard affordable and stable import opportunities. To this end, they have used Free Trade Agreements (FTAs) to circumvent export duties and restrictions on export quantities from producing countries. Increasingly, these agreements are also being used in order to smooth the way for investments in infrastructure projects or to establish local advisory structures in the host countries. By contrast, the resource-rich countries of the Global South have an interest in achieving higher profits from their own wealth of natural resources, perhaps raising tax revenues and focusing on resource-based economic growth as a rule, by aiming at expanding the value chain of raw materials within their own country, for instance. To this effect, the Africa Mining Vision was passed by the African Union (AU) in 2009. Although the AMV speaks of a socially responsible and environmentally friendly use of resources, the current practice

in a wide range of mining projects looks rather different. It is most notably companies from the Global North that are failing to fulfil their social and ecological responsibilities. This is where a future-oriented, global resource policy, which does not shut out discussions about extractive models, must come into play. Based on the observation that the exploitation of mineral resources¹ has not significantly contributed to local economic development in the past, the AMV is committed to the aim of making the mining industry (with a particular focus on large-scale mining) the key sector for a diversified, competitive African economy. The AMV is understood to be a development strategy, outlining different approaches towards a transparent, fair and efficient use of mineral resources.

The AMV is a pioneering reference document.² In the globally interconnected raw materials industry, African countries still play the role of resource exporter – the very situation which the AMV wants to change. In their position papers on raw materials policy over the past few years, the German government and German industry have repeatedly emphasised that their primary concern is to safeguard the supply of raw materials.³ In other words, their aim is to maintain and protect the existing global division of labour between exporting and manufacturing countries. As part of this year's German G20 presidency, several Africa-themed strategy and position papers have been produced by the German government.⁴ Even if there is no direct link to the AMV, the orientation of these documents nonetheless wields strong political influence. The German Federal Ministry for Economic Cooperation and Development (BMZ) described the AMV

as an 'important milestone in the harmonisation of regulations in the extractive sector'.⁵ In light of discussions about post-extractivism,⁶ degrowth and post-growth, the question of how to deal with a pro-mining vision is being posed with increasing urgency.

The Africa Mining Vision - appearances can be deceiving

Some passages of the AMV and its Action Plan for Implementation make for rather progressive reading. Take for example the description of a mining model which considers ethical, cultural and ecological concerns, recognises issues such as gender justice, is socially responsible and encourages cooperation between the different stakeholders. In this context, particular consideration is supposed to be given to the needs of affected local communities. However, here the authors state that their interests should be 'balanced' against national interests. The AMV offers a critique of the actions of transnational large corporations (admittedly mainly in economic terms) and calls for an improvement to state revenues through higher taxes, more effective taxation or the renegotiation of contracts. Past negligences such as disregarding ecological damage or unpaid compensation payments are also mentioned. In this respect, the AMV is ground-breaking for processes in Burkina Faso, South Africa or Tanzania, where new mining laws have been discussed or implemented recently with the primary aim of increasing both local and national revenues. Nonetheless, it is still highly suspect to refer to the AMV as an 'alternative policy framework'.⁷ Its partially progressive character is in contrast with a non-critical and unquestioning acceptance of discourse surrounding 'good governance', the role of public-private partnerships or private sector actors as main stakeholders. Moreover, within the companies, the authors claim to have detected a shift

from a purely commerce-driven orientation towards a stronger emphasis on corporate social responsibility. The basic underlying assumption that a state has the duty to merely create beneficial framework and investment conditions (for industry) is left unexamined. Although the AMV assumes several possible benefits for local communities such as the creation of jobs, experience has shown these to be rather limited. From a feminist point of view, the organisation called Women in Mining (WoMin) criticises the AMV's inadequate consideration of gender issues and of the specific implications that large-scale mining operations have for women. These include the loss of agricultural lands predominantly cultivated by women, the compensation payments which are usually negotiated with and paid to men, and the impacts on family life and family planning.⁸

The AMV is written from an affirmative and bureaucratic perspective on the mining industry and builds on a business-friendly development which favours an 'African capitalism'. As such, it reflects only a minimal consensus across the African states.

Germany's Raw Materials Policy⁹

With the demand for energy and metallic resources in Germany set to remain high in the future, governmental and non-governmental stakeholders have for many years been attempting to enforce a raw materials policy focused on safeguarding resource supply to industry. Fearing for the medium-term security of supply, in the early 2000s, industry representatives in the Federation of German Industries (BDI) founded the German Raw Materials Committee. The committee's objective is to put raw materials policy on the German federal agenda. The resource-processing industry has a history of strong representation at the BDI, where it pursues steady lobbying work. In October 2010, the German government

presented the German Government's Raw Materials Strategy during the BDI's third Raw Materials Congress.¹⁰ While German industry was closely involved in the coordination of this strategy, neither affected communities in the mining regions nor German civil society were consulted. For this reason, the Raw Materials Strategy reads rather like a list of demands for industry associations: it calls for further FTAs, a coherent raw materials diplomacy and dispute settlements in the framework of the World Trade Organization (WTO). In particular, the strategy calls for the dismantling of foreign trade measures such as export taxes, export quotas and import discounts, which constitute unfair

competition. It also promises stronger support for industry actors in diversifying their raw materials sources via government loans and investment guarantees, preliminary geological surveys and improved data availability. Under the umbrella of the German Institute for Geosciences and Natural Resources (BGR), the German Mineral Resources Agency (DERA) was founded as a consulting body to German industry. In 2016, the German Mining Network was founded with the support and funding of the German Federal Ministry for Economic Affairs and Energy (BMWi).¹¹ This network consists of six German foreign chambers of commerce (Auslandshandelskammern (AHK)) which work together and function as centres of excellence for raw materials. Located in Canada, Brazil, Chile, Peru, South Africa and Australia, these centres of excellence primarily support the security of raw materials importers, as well as the export of German services and industrial products. The AHK in South Africa is also responsible for Zambia, Zimbabwe and the Democratic Republic of the Congo, whose markets

should, 'as supply sources, contribute to the protection and diversification [of raw materials for German industry]'.¹²

While the German Government's Raw Materials Strategy makes no mention of binding due diligence obligations along the supply chains, or of other human rights requirements for German resource-processing corporations, the German government is seeking to strengthen good governance practices in the resource-rich countries. For this reason, it has supported

Nonetheless, individual corporations are announcing their stronger dedication to raw materials procurement, a trend whereby the African continent has attracted much more attention over the past few years.

the Extractive Industry Transparency Initiative (EITI) for years and submitted its first report to the EITI in autumn 2017 – a necessary step towards becoming a member.

The attempt to establish a large-scale mining company in Germany nevertheless failed. A Raw Materials Alliance (Rohstoffallianz) was founded in April 2012 with the support of the BDI and the German government consisting of twelve reputable German companies.¹³

The alliance aimed to procure investments or shares in existing mining projects ('brownfield concessions') in order to diversify its own supply sources; however, it did not manage to successfully acquire any of the desired mine or company shares and was liquidated again in 2016.

Nonetheless, individual corporations are announcing their stronger dedication to raw materials procurement, a trend whereby the African continent has attracted much more attention over the past few years. In 2016, the German company Bosch presented its plans to heavily invest in the mining sector on the African continent.¹⁴ At the car manufac-

turer Volkswagen, they are considering investing in the production of batteries for electro mobility.¹⁵ This would mean that both companies would need to secure their supply of lithium and graphite. Lithium is extracted primarily in Australia, Chile and Argentina but also in Zimbabwe and the Democratic Republic of the Congo. After Turkey, Brazil and China, the country with the largest graphite reserves is Mozambique. In 2013, the German government's exploration funding programme supported the company Graphit Kropfmühle GmbH in Cabo Delgado, Mozambique.

The German multinational conglomerate ThyssenKrupp has signed an offtake agreement for the entire production of rare earths by the mining company Rainbow Rare Earths, following the launch of their new mine in crisis-ridden Burundi. Other notable German companies which can exert influence on resource extraction (either directly or via their supply chain) include the chemical company Lanxess and the Southern German company, Chronimet, both of which extract chrome in South Africa. The chemical company BASF is one of South African-British company Lonmin's most important customers for platinum. Lonmin achieved notoriety in August 2012 when security officials and police units were involved in the bloody suppression of a miners' strike, costing 34 striking mine workers' lives. BASF itself manufactures platinum worldwide in catalytic converters.¹⁶

2017 will most probably go down in history as the year of German Africa-themed strategies and concept papers, which saw the simultaneous but separate publication of the following documents by three different German ministries: a Marshall Plan with Africa, (Federal Ministry of Economic Cooperation and Development), a Compact with Africa (Federal Ministry of Finances) and the Pro! Africa initiative (Federal Ministry of Economics and Technology).¹⁷ With its most

recently published report Africa's Economic Development – Challenges and Possibilities,¹⁸ the German government seemed to have attempted to establish some form of closure. Rather than echo a full analytical review at this point, some key points include: a complete lack of differentiated analysis, the focus on private investments by (German) companies – backed by government loans and in the hands of development banks and neo-liberal structural adjustment measures in the style of the Washington consensus. The extractive sector is seldom explicitly mentioned. While the Marshall Plan with Africa, the joint report on the Compact with Africa and even the Pro! Africa initiative all refer to the abundance of resources and its inherent potential for economic diversification,¹⁹ only Pro! Africa presents specific suggestions, along the lines of, "if something is already there, more should be added", its recommendations include a centre of excellence for energy and mineral resources in Nigeria, increased responsibilities for the BGR and "making greater use of the existing centre of excellence for mining and resources at the Southern African-German Chamber of Commerce and Industry and of the German Mining Network".²⁰ The other documents remain vague, call for higher taxation, the inclusion of local communities or, as animated by the Compact with Africa for instance, the public disclosure of contracts.

Although these documents are to some extent lacking in precision, they do set the regulative framework, substantiate the German government's raw materials policy objectives and show how private financing is to be linked with public infrastructure projects. This strategic course is welcomed by stakeholders such as the BDI, who have evidently approached the respective governments with the demand for creating an investor-friendly framework. The task of taking responsibility for human rights issues is also delegated to the governments – not to the companies.²¹

The AMV and German economic interests: consensuses and contradictions in neo-liberal politics

Both the German strategy papers and the AMV paint a homogeneous picture of Africa which negates the many differences between individual countries – regardless as to whether the countries in question are rich or poor in resources, export their resources or are dependent on specific raw material deposits. If at all, reference is usually made to the same countries (predominantly resource-exporting such as Nigeria). This creates the impression that the African continent is interested in only two respects: as an untapped market for and supplier of hitherto untapped resources.

The AMV and the German policies start from a common diagnosis: high raw commodity prices on the global market,²² and the role that raw materials should or could play within value chains yet to be established and in industrialisation.²³ However, when it comes to applying these strategies as they should be within this policy framework, the existing conflicts of interest come to light: while using the high prices and reserves of raw materials to promote industrial development is advocated in the AMV and the BMZ's Marshall Plan²⁴, it is in Germany's economic interest (as formulated in the Raw Materials Strategy) to lower the prices for such imports and to dismantle or minimise restrictions in access to the raw materials market.²⁵ The key words "industrialisation" or "structural transformations", in African countries are terms which also appear in these documents, however, they are applied more in relation to "combating causes of flight and migration" or regarding investment opportunities for (German) capital. The current orientation of German policies and strategies predominantly serves to maintain the existing division of global labour with Africa as the exporter of raw materials and Europe as the customer and processor. This is evidenced

by the relevant regulations made in the Economic Partnership Agreements or by the fact that local value chains are not considered. In the majority of African countries, the scope of economic and political action is limited for a variety of reasons, including the dependency on external investors, the incompetence of political elites or the implementation of neo-liberal policies.

Infrastructure projects and large-scale investments

The German government aims to advance economic development in African countries by financing large infrastructure projects. Similarly, investments into the exploitation of resource deposits and the necessary infrastructure (streets, ports, electricity and transport systems) are key to the AMV. According to the AMV's Action Plan and the strategy paper entitled Exploiting Natural Resources for Financing Infrastructure Development²⁶, "developmental corridors" for creating the "possibility of simultaneous infrastructure and mining investment"²⁷ are also paramount. To this end, international governments, banks, insurance companies and pension funds are being targeted as potential collaborators. Public-private partnerships are of particular significance here. This is where the visions of African and European governments and investors coincide. In this context, documents such as Pro! Africa fall back on tried-and-tested foreign trade promotion tools such as Hermes export credit and investment guarantees.

Although advocates and opponents of the mining industry agree that investments into infrastructure are necessary, concerns are however, being voiced at the same time about the danger of an increase in national debt, a return to or even the escalation of the financial crisis in the aftermath of large-scale investments. It is often the interests of the investors however, which take centre stage.

The Compact with Africa only contains the reference to a “debt monitoring” through the International Monetary Fund.²⁸ Thus, there is reason to fear the further promotion and development of the existing practice under which “development aid” is used as a pretext to provide risk mitigation to private companies through securities.

Instruments of German policy and the AMV

For the German government, examples of good governance include assisting resource-rich countries with negotiating better export contracts and ensuring transparency of contract terms. This is one of the purposes behind the CONNEX initiative, which, upon request, provides the partner states with advisers for negotiating industrial contracts. This support service fits in with the logic of export-oriented industrialisation because programmes which support local civil resistance against mining projects or even against state-led initiatives in the African countries – which are concerned with an ecologically and socially compatible implementation of mining projects as a path towards ensuring stability and development – are currently non-existent. The CONNEX initiative is a product of the G7 summit. Practically the mirror-image of the other 2017 strategies and documents, resource-rich countries are not included in its considerations for implementation and formulation of objectives.²⁹

The planned expansion of AHKs enables German development and foreign trade policy to pave the way for German companies. It is a matter of promoting and safeguarding investments of German companies such as ThyssenKrupp on the one hand and supplying the necessary technical equipment for extraction on the other. The fact that the AMV recommends the use of public-private partnerships is therefore of benefit to both German and European economic interests.

The AMV’s call for improved geological data availability also caters to these interests. Notably, the German Federal Institute for Geosciences and Natural Resources is an international actor in the fields of exploration and collection of geological data. What is problematic about their mapping method, however, is that while mineral potentials are recorded, the surface utilisation (such as agricultural use) is not taken into consideration – despite the fact that conflicts of land use will be de facto unavoidable during later stages of exploitation. Instead of taking these conflicts seriously, the Federal Institute for Geosciences and Natural Resources dominates the discourse by focusing mainly on security of supply of raw materials, pointing out (alleged) supply shortages to German industry and criticising what it considers to be existing market-distorting measures.³⁰

From ever-increasing governance initiatives ...

Years of commitment (mostly from civil society) have given fundamental principles such as transparency, corporate responsibility and accountability have penetrated their way into political discussions. Meanwhile, governance mechanisms such as accountability and transparency of steering mechanisms have begun to play a major role, not only in German strategy papers and the AMV, but also in active policy. It is a welcome development that the AMV lists the incorporation of the EITI Principles (Extractive Industry Transparency Initiative) and the system *for certifying diamonds (Kimberley Process)* into national laws and guidelines among the short-term measures. Although membership in the transparency initiatives is encouraged, it is not obligatory. The German documents also refer to the EITI processes; the Federal Ministry for Economic Cooperation and Development even cites the EITI-related advisory support in several African countries as an example

for how the Marshall Plan can generate local added value.³¹ Nonetheless, implementation often remains inadequate in both Germany and the African countries,³² making the contradiction between professed interest and political practice all too clear.

... through shrinking spaces ...

The AMV attaches great importance to the collaboration between individual stakeholders, such as government structures, local communities, civil society and the companies concerned. As regards the consideration and inclusion of these different interest groups into relevant processes, both Africa and Europe have demonstrated a very positive shift in perspective over the past few years. However, this rhetoric is in stark contrast to current practice, where civil society's sphere of influence is undergoing increasing restriction (often termed as "shrinking spaces"). This is especially true for mining projects. In general, it must be stated that although civil society representatives and critics are involved in multi-stakeholder processes, their ability to follow through is often very limited. In the worst case scenario, these processes end with the affected parties having indeed been consulted and not being able to exert any influence on the decision-making process. In these cases, stakeholder participation merely serves the purpose of "legitimising" pre-made agreements to the outside world.

... to insufficient human rights considerations

Despite rhetoric to the contrary, it may be noted that the current raw materials policies continue to be defined by the logistics of exploitation. A human-rights-based framework for the extractive sector is rejected along with any form of criticism – despite the fact that a recent study by the Max-Planck Foundation, which was commissioned by the

BGR, has shown the imminent risks mining projects pose to human rights – even when applying a conservative definition of the latter.³³ This finding is supported by a large number of other studies and reports. Time and again, German companies are directly or indirectly involved in the violation of human rights.³⁴ Clear statements regarding a global, binding corporate responsibility towards human rights and environmental protection throughout the phases of exploration, extraction, financing or along the local value chain are avoided. Instead, this responsibility is ceded to the resource-rich countries. Exercising due diligence, respecting human rights and meeting environmental standards is usually left to the discretion of the transnational corporations. Although voluntary standards have been propagated for centuries, compliance with them leaves much to be desired – a fact which the massacre of Marikana, which BASF and Lonmin hold joint responsibility for, is sad proof of.³⁵

Although many points such as legally binding requirements to carry out social and environmental impact assessments or the consideration of local community interests have been included into local legislation of African countries, they are nevertheless either ignored or transnational corporations are able to skilfully avoid sanctions. Both the Raw Materials Strategy and the recent Africa-related documents published by the German government lack measures to ensure the enforcement of human rights and the reduction of ecological and social damage along local value chains. Although the German Government's Raw Materials Strategy states "that sustainable development and economic and social progress are not possible without good governance, respect for human rights and compliance with environmental and social standards", with regard to effective implementation of these fundamental principles only an expectation

is expressed “that German industry align its commercial activities with internationally recognised instruments and initiatives such as the OECD Guidelines on Multinational Enterprises.”³⁶ The more recent documents do not venture any further either – an alignment with the reference document with the UN Guiding Principles on Business and Human Rights appears to be the maximum. The German National Action Plan to implement the UN Guiding Principles does not contain any binding regulations. Current discussions, for example, about the UN Treaty which aims to transform the UN Guiding Principles into a binding legal instrument which will regulate and sanction corporate human rights responsibilities at an international level, are only proceeding at a sluggish pace; whether they will end up with an agreement at all remains unclear.

Although the AMV mentions the elimination of human rights violations and the potential for conflict inherent in natural resource exploitation,³⁷ its authors do not call for the creation of binding standards for corporations. While the AMV does refer to different international agreements dedicated to combating human rights violations, once again specific calls for their practical implementation are also lacking. The AMV Private Sector Compact is modelled after the UN Global Compact, but does not include legal instruments such as the Universal Declaration of Human Rights or the International Labor Organization’s Declaration on Fundamental Principles and Rights at Work.³⁸ Moreover, the AMV does not name any explicitly binding guidelines for companies to disclose or provide information,

despite the fact that history has clearly shown voluntary standards and self-imposed obligations to be insufficient. For the most part, corresponding statements refer to preliminary environmental impact assessments or the inclusion of local communities.

Towards new alternatives

Given the aforementioned high consumption of raw materials and its social and ecological implications, Germany and Europe must make two radical changes: first of all, raw material consumption in the Global North must be drastically reduced. Secondly, raw materials which are required for the future of communication and mobility, medical care and housing must be extracted in a manner that does not violate human rights and minimises socio-ecological impacts. It is precisely the human rights due diligence along the supply chain, as required by the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises from 2011, which must be anchored in national and international legislation and contracts in a binding way.

The organisations organised within the German civil society network AK Rohstoffe (Working Group on Raw Materials) have already elaborated their corresponding demands.³⁹ The strengthening of the circular economy model and a binding commitment to reducing absolute raw material consumption is of prime importance to them. This would provide relief to communities which are fighting against the expansion of the mining industry at a local, national and international level. According to the rationale behind the German Govern-

Both the Raw Materials Strategy and the recent Africa-related documents published by the German government lack measures to ensure the enforcement of human rights and the reduction of ecological and social damage along local value chains.

ment's Raw Materials Strategy, this reduced consumption level would also strengthen security of supply. Regarding the situation in African countries and the AMV, such a reduced consumption in the Global North could not only facilitate the extension of the local value chain in the Global South but also support local qualitative growth, thus contributing to better working conditions, fewer ecological risks and fewer social conflicts.⁴⁰

The introduction of mandatory human rights due diligences in Germany and Europe could reduce social exploitation and the violation of human rights in resource-rich countries. Rather than having the lowest market price determine the purchase of raw materials from particular mines, the local social and human rights conditions in the producing country would be part of the mix. Germany and Europe could thus fulfil their share of human rights obligations. Based on the example of a newly built car, the business news magazine *Wirtschaftswoche* calculated that procuring ethically sourced raw materials would result in a price increase of only EUR 200.⁴¹

Furthermore, within the framework of EU negotiations on trade and international investment agreements, German politicians are pushing for the dismantling of export taxes while simultaneously calling for far-reaching protection regulations for German foreign investments.⁴² What is needed instead is a fundamental reform of EU trade policy. Among other things, they need guarantees that export taxes can generate substantial income or regulate export quantities. Rather than offer preferential treatment to international investors in resource-producing countries, Investor-State Dispute Settlement (ISDS) clauses must be removed in their entirety from trade and investment agreements without being superseded by an Investment Court System (ICS).⁴³

Civil society needs to know, which deal with the alternative shaping of the AMV at a national

level, must be supported. In several African countries such as Kenya or South Africa, organisations and networks have exchanged ideas and visions, have expressed their opinions and developed demands such as the right to legally secured information, binding compensation and relocation regulations, exemption from certain regions from mining activity and the utilisation of revenue as basic income.⁴⁴ For her part, Germany must show more approval of the actors behind the AMV.

The points stated above illustrate a short and medium term perspective. If the political will existed, legal obligations for complying with standards or transparency would be relatively easy to implement. An additional question remains however as to how the mining dilemma can be avoided? How can the potential of mineral deposits be used for socio-economic policies without disregarding the negative effects of extractive models? A debate about different forms of extractivism is needed for the African continent. Based on its socio-political composition, can a Latin American style of neo-extractivism serve as a reference for African countries? How can a post-extractivist model be established? Neither the German documents nor the AMV take a position on these fundamental questions.

Summary - non-committal commitment

In terms of their fixation on a capitalist logic of exploitation and their uncritical pro-mining stance, the AMV and the German political reports do not differ much. Both deliver a framework which reads well to some extent on the surface and allows for at least a low-level change in perspective, but falls short on the whole. Political regulation is then called for when it serves the interests of industry. Policies and visions have one and the same objective: an improved climate for investment for the purpose of accessing and extracting

raw materials. Often, detailed and legally binding statements regarding political implementation are lacking; aspects such as gender justice, fair compensation, environmental and climate-related standards remain empty words, while ecological and social consequences, follow-up costs and the problem of debt are omitted completely. The emphasis on governance mechanisms such as the EITI processes once again only serves neo-liberal protection of trade. Moreover, there is a total lack of legally binding human rights due diligence for (multi-)national enterprises.

In terms of their fixation on a capitalist logic of exploitation and their uncritical pro-mining stance, the AMV and the German political reports do not differ much.

The German government's support of the AMV is another sign of a fundamental shift away from traditional development cooperation towards a stronger promotion of foreign trade and respective investments. Here, the primary aim is to establish a regulatory framework for investments and infrastructure in order to mobilise private capital. The role of politics is reduced to a tool for organising new investments and creating favourable conditions for investment. Development banks, which could operate with binding due diligences, receive little consideration. While the political sphere protects the interests of business through international agreements, for example through the World Trade Organization or bilateral trade agreements, social and ecological demands voiced by civil society are ignored or outsourced into multi-stakeholder processes. Rather than acting as an independent stakeholder, politics often plays the role of a mediator between the interests of industry and civil society in these processes. This makes it almost impossible to

enforce a regulatory framework that flies in the face of the interests of the industry.

The projected path that this "business-as-usual" approach leads us down is especially frightening in the face of the current global challenges: the fact that climate change and the externalisation of social and ecological consequences can only be faced with a definite break-away from the existing neo-liberal extractive model does not seem to have hit home with either industry or the governments involved. Alternative raw materials concepts which are currently being discussed and developed across the globe are not touched on in any of the documents in question. An intercontinental approach is needed in order to delimit the boundaries of global capitalism and to finally strike back with a global, ethical policy of resource justice. Undoubtedly, such a policy of resource justice must also significantly extend to other fields such as economic and developmental policy and geopolitics.

1 Mineral resources comprise metal ores and non-metallic raw materials. The latter include industrial minerals, stones and soils as well as energy feedstocks such as coal and lignite. **2** Published in 2015, the African Union's 'Agenda 2063' also makes reference to the AMV and calls for its implementation (African Union: Agenda 2063, Addis Ababa 2015, p. 15). **3** The most recent example is the position paper 4.0 issued by the Federation of German Industries (BDI) in 2017: Bundesverband der Deutschen Industrie (BDI) (2017): Rohstoffversorgung 4.0. Handlungsempfehlungen für eine nachhaltige Rohstoffpolitik im Zeichen der Digitalisierung, Berlin 2017. **4** Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ): Afrika und Europa – Neue Partnerschaft für Entwicklung, Frieden und Entwicklung. Eckpunkte für einen Marshallplan mit Afrika, Berlin 2017; Bundesministerium für Finanzen (BMF): Compact with Africa, Berlin 2017; Bundesministerium für Wirtschaft und Energie (BMWi): Pro! Afrika, Berlin 2017. **5** Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ): Africa Mining Vision, available at www.bmz.de/rue/de/international/amv/index.html, the citation can no longer be found on the website. Last accessed 4 November 2017. **6** The authors imagine a post-extractive mining model which exhibits a significant decline in intensity and prioritises social, human rights and ecological criteria. cf. Jaeger, Nicola/PowerShift (2016): Alles für uns?! Der globale Einfluss der europäischen Handels- und Investitionspolitik auf Rohstoffausbeutung, Berlin 2016, p. 32. It is protests against fossil resource extraction in particular – whether anti-racking campaigns in Poland and Great Britain or the "Ende Gelände" protests against lignite

mining in the Rhineland or Lausitz regions of Germany – that illustrate the congruencies between discussions on degrowth, post-growth and resource consumption. Ulrich Brand is one of few authors who have attempted to consolidate these discussions, cf. Brand, Ulrich (2016): *Post-Extraktivismus*, online publication, 2016, available at www.degrowth.info/wp-content/uploads/2016/06/DIB_Post-Extraktivismus-1.pdf. Last accessed 4 November 2017. **7** Oxfam (2017): *From Aspiration to Reality. Unpacking the Africa Mining Vision*, 2017, p. 5. **8** Women in Mining. African Women Unite Against Destructive Resource Extraction (WoMin): *The Africa Mining Vision. A Long Overdue Ecofeminist Critique*, 2015. **9** For an overview, cf. Fuchs, Peter/Reckordt, Michael (2013): *Rohstoffsicherung in Deutschland und zivilgesellschaftliche Antworten*, in: *Peripherie* 132, pp. 501–510. **10** Bundesministerium für Wirtschaft und Energie (BMWi) (2010): *Rohstoffstrategie der Bundesregierung. Sicherung einer nachhaltigen Rohstoffversorgung Deutschlands mit nicht-energetischen mineralischen Rohstoffen*, Berlin 2010. **11** cf. with the German government's response to the minor interpellation posed by the parliamentary group DIE LINKE on 16 February 2017, available at: <http://dip21.bundestag.de/dip21/btd/18/112/1811211.pdf>. Last accessed 4 November 2017. **12** homepage of the AHK in South Africa under: <http://suedafrika.ahk.de/industrien/bergbau-rohstoffe/>. Last accessed 4 November 2017. **13** Bayer, BASF, Bosch, Evonik, Georgsmarienhütte, Rockwood Lithium, Stahl Holding Saar, ThyssenKrupp, Wacker Chemie, BMW, Volkswagen and Aurubis. **14** Ohne Autor (2016): *Deutscher Konzern setzt auf Afrikas Bergbausektor*, in: *Handelsblatt*, 8 February 2016, available at www.handelsblatt.com/unternehmen/industrie/bosch-deutscher-konzern-setzt-auf-afrikas-bergbausektor/12933148.html. Last accessed 4 November 2017. **15** Menzel, Stefan (2017): *Aufbruch in die Lithium-Epoche*, in: *Handelsblatt*, 11 August 2017, available at: www.handelsblatt.com/my/unternehmen/industrie/vw-strategiechef-sedran-aufbruch-in-die-lithium-epoche/20171392.html?ticket=ST-3141969-j19SjxkFPAUNRuJ5QB-ap1. Last accessed 4 November 2017. **16** Topf, Andrew: *High-grade Rare Earths Confirmed at Burundi Prospect*, 13 August 2017, available at: www.mining.com/high-grade-rare-earth-confirmed-burundi-prospect/. Last accessed 4 November 2017. NomaRussia, Bonase/Seidman, Judy/Khulumani Support Group/Knapp, Simone/Mabanza, Boniface/KASA/Grimm, Maren/Krameritsch, Jakob/Academy of Fine Arts Vienna (eds.) (2016): *Im Kampf um Gerechtigkeit und Restitution – Die Bodymaps der Witwen von Marikana, Hamburg/Heidelberg/Johannesburg/Wien 2016*, available at: www.rosalux.de/fileadmin/rls_uploads/pdfs/Veranstaltungen/2016/katalog_final_dig.pdf. **17** Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ) (2017): *Afrika und Europa – Neue Partnerschaft für Entwicklung, Frieden und Entwicklung. Eckpunkte für einen Marshallplan mit Afrika*, Berlin 2017; Bundesministerium für Finanzen (BMF) (2017): *Compact with Africa*, Berlin 2017; Bundesministerium für Wirtschaft und Energie (BMWi) (2017): *Pro! Afrika*, Berlin 2017. **18** Deutsche Bundesregierung: *Wirtschaftliche Entwicklung Afrikas. Herausforderungen und Optionen*, Berlin 2017. **19** BMZ (2017), p. 6, 8 and 16; BMWi (2017), p. 1. **20** BMWi (2017), p. 7. **21** Bundesverband der Deutschen Industrie (BDI) (2017): *Rohstoffversorgung 4.0. Handlungsempfehlungen für eine nachhaltige Rohstoffpolitik im Zeichen der Digitalisierung*, Berlin 2017, pp. 20. **22** At the time of the AMV's publication in 2009, global mineral commodity prices were rising. Although the price has dropped again over the last few years, an increased demand in raw materials is expected in the face of global population growth and affiliated consumption patterns. **23** BMZ (2017), p. 6 and 8. **24** *ibid.* **25** In 2005 Dieter Ameling, then-president of the economic association Stahl and simultaneously member of the BDI Presidential Board, clearly stated the interests of the German industry: "Germany can only remain capital export world champion if companies receive free and fair access to the international commodity markets". During the second BDI Rohstoffkongress (Congress on Raw Materials) in 2007, the coalition government of the time not only presented the Elemente einer Rohstoffpolitik ('elements of a raw

materials diplomacy'), but also founded the aforementioned Interministerieller Ausschuss (IMA) Rohstoffe (interministerial committee on raw materials). German chancellor Angela Merkel commented on this as follows: "with the Interministerieller Rohstoffausschuss you get what you [the industry] asked for: a forum where you can network with political stakeholders regarding your concerns and initiatives. I believe this to be every important." Within the Rohstoffausschuss, all involved parties can exchange their knowledge on current resource policy under the auspices of the Ministry of Economics. **26** African Union Commission/United Nations Economic Commission for Africa (2011): *Building a Sustainable Future for Africa's Extractive Industry: From Vision to Action. Exploiting Natural Resources for Financing Infrastructure Development. Policy Options for Africa*, Addis Ababa, 2011. **27** African Union Commission/African Development Bank/United Nations Economic Commission for Africa (2011): *Building a Sustainable Future for Africa's Extractive Industry. From Vision to Action. Action Plan for Implementing the AMV*, 2011, p. 37. **28** African Forum and Network on Debt and Development/European Network on Debt and Development/Jubilee Germany: *How the Compact With Africa Pushes Africa Towards its Next Debt Crisis*, in: *Pambazuka News*, online portal, 8 June 2017, available at <https://www.pambazuka.org/economics/dark-side-infrastructure-investment-africa>. Last accessed 4 November 2017. **29** Carius Myriam/Adegbulu, Opeposi: *Die G7-CONNEX-Initiative. Erfüllt sie ihren Zweck? Global Governance Spotlight*, 2015, p. 3. **30** Doll, Nikolaus (2017): *Rohstoff-Engpass gefährdet Deutschlands Stärke*, in: *Die Welt*, 24 October 2017. **31** cf. corresponding information on the homepage of the Federal Ministry for Economic Cooperation and Development (BMZ): *Selected examples for the implementation of the Marshall Plan with Africa*, available at: www.bmz.de/de/laender-regionen/marshallplan_mit_afrika/umsetzung_textbeispiele/index.jsp. **32** *Erster deutscher EITI-Bericht veröffentlicht – Zivilgesellschaft begrüßt mehr Transparenz im Rohstoffsektor, fordert aber ambitionierteres Vorgehen*, press release, 6 September 2017. **33** Max-Planck-Foundation (2016): *Human Rights Risks in Mining. A Baseline Study*, 2016. **34** cf. e. g. *Misereor/Brot für die Welt/Germanwatch (2016): Menschenrechte sind kein Wunschkonzert. Eine Auseinandersetzung mit den Einwänden der Wirtschaftsverbände gegen verbindliche Menschenrechtsvorgaben*, 2016. **35** Cf.: NomaRussia, Bonase et al. (2016). **36** Bundesministerium für Wirtschaft und Energie (BMWi) (2010): *Rohstoffstrategie der Bundesregierung. Sicherung einer nachhaltigen Rohstoffversorgung Deutschlands mit nicht-energetischen mineralischen Rohstoffen*, Berlin 2010, p. 8. **37** The AMV professes to: "Eliminate human rights abuses and the possibility of natural resources fueling conflicts", (African Union 2009, p. 34). **38** Oxfam (2017), pp. 21. **39** AK Rohstoffe (2016): *Positionspapier AK Rohstoffe. Für eine demokratische und global gerechte Rohstoffpolitik*, Berlin 2016, available at alternative-rohstoffwoche.de/wp-content/uploads/2016/08/AK_Rohstoffe_demokratische_und_global_gerechte_rohstoffpolitik.pdf. Last accessed 4 November 2017. **40** *ibid.* **41** Bergermann, Melanie/Book, Simon/Busch, Alexander/Deuber, Lea (2017): *Das dunkle Geheimnis der Automobilindustrie*, in: *Wirtschaftswoche*, 27 October 2017, which states: "upon customer request, the mining corporations could also offer ethically sourced raw materials. Experts estimate that this would lead to a maximum surge of EUR 200 on the price of a new car", *ibid.*, p. 40. **42** Jaeger, Nicola/PowerShift (2016); Groneweg, Merle: *Nach unseren Regeln! Wie die EU in die souveräne Steuerpolitik in rohstoffreichen Staaten eingreift*, Berlin 2017, available at: <https://power-shift.de/nach-unsere-regeln-wie-die-eu-in-die-souveraene-steuerpolitik-in-rohstoffreichen-staaten-ingreift/>. Last accessed 4 November 2017. **43** cf. Reckordt, Michael: *Wenn Konzerne klagen können in: iz3w 358*, 2017, available at www.iz3w.org/zeitschrift/ausgaben/358_dschiadismus/schiedsgerichte. Last accessed 4 November 2017. **44** E. g. for Kenya: *National Dialogue on the Africa Mining Vision*; press release of the Bench Marks Foundation: *Current Mining Practices not working for Africa's people*, 8 February 2017.

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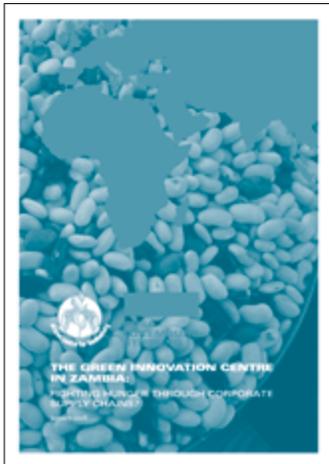
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ABBREVIATIONS

AHK	German foreign chambers of commerce
AMDC	African Mineral Development Centre
AMGF	African Mineral Governance Framework
AMV	Africa Mining Vision
ASM	Artisanal and small-scale mining
AU	African Union
BDI	Federation of German Industries
BGSI	British Geological Survey International
BMZ	German Federal Ministry for Economic Cooperation and Development
CBO	Community-based organisation
CMV	Country Mining Vision
CSR	Corporate Social Responsibility
EITI	Extractive Industries Transparency Initiative
FDI	Foreign Direct Investment
FTA	Free Trade Agreement
GST	Geological Survey of Tanzania
MDA	Mining Development Agreement
MIASA	Mining Industry Association of Southern Africa
NDC	National Development Corporation
NGO	Non-governmental organization
NEITI	Nigerian Extractive Transparency Initiative
NRC	Natural Resource Charter
NRGI	Natural Resource Governance Institute
PIB	Petroleum Industry Bill
PPP	Public Private Partnerships
PWYP	Publish What You Pay
SADC	Southern African Development Community
SLO	Social licence to operate
SOE	State-Owned Enterprise
STAMICO	State Mining Corporation
TEITI	Tanzanian Extractive Industry Transparency Initiative
UNECA	United Nations Economic Commission for Africa
VAC	Value Addition Committee
WTO	World Trade Organization

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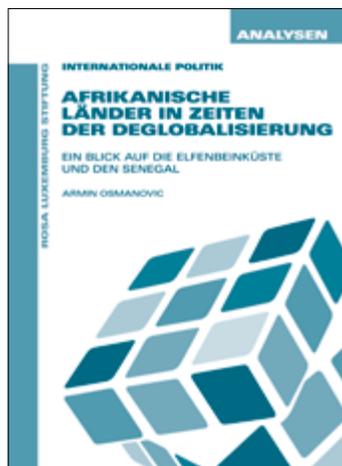
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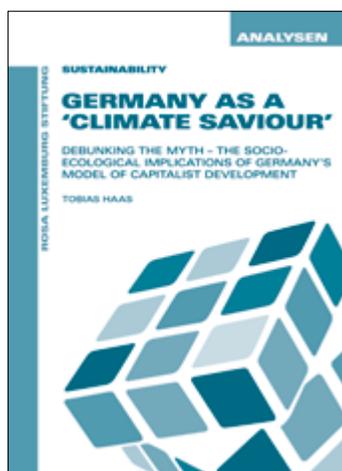
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«The lack of questioning as to mining's place in society goes hand in hand with the ideological position that the economy of Africa must embark on a path of commodity-based industrialisation in order to attain certain poorly defined outcomes. On the whole, the AMV is a modified extractivist agenda and does not portray Africa as a continent showing signs of being part of global efforts to move beyond extractivism.»

NNIMMO BASSEY