

Publication: The Sunday Times

Title: Dual mining indabas show gulf between corporate and social concerns

Publish date: 27 January 2019

Reach: 120000

AVE: R 273635.4

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Dual mining indabas show gulf between corporate and social concerns

Resolving conflict requires a meeting of minds and purposes

By BRIAN GANSON

● SA is estimated to have the world's fifth-largest mining sector, with mineral resources minister Gwede Mantashe recently saying the mining and quarrying sector's contribution to GDP bodes well and that a commodity boom may be imminent.

If GDP growth, corporate profits and government revenue are the only goals, then this is good news. If human rights and development for all South Africans are also desired end points, the evidence is more mixed.

Some conclude that "the mining industry only benefits a few while condemning mining-affected communities to poverty and violence". The South African Human Rights Commission has stated unambiguously that "the mining sector is riddled with challenges related to land, housing, water, the environment and an absence of sufficient participation mechanisms and access to information".

Across the continent the evidence is grim: in Sierra Leone mining is reinforcing historic vectors of fragility and violence, including the growing frustration of civil society, conflict over land allocation and regional and ethnic tensions.

This division in perspectives and experiences between political, financial and corporate advocates for mining on one side and community, environmental and human rights activists on the other, is illustrated by the existence of not one but two mining indabas in Cape Town this February.

The 25th Investing in African Mining Indaba convenes investors, mining executives, and high government officials at the Cape Town International Convention Centre. It bills itself as hosting "the most influential people in African mining" in the "leading dealmaking forum". Some "sustainability-focused content" is sprinkled throughout, though the registration price in excess of R23,000 a delegate – about two months' wages for an entry-level gold miner – will keep almost all critical voices away.



The Marikana massacre of August 16 2012 during a violent wage-increase protest is one example of the violence that characterises relations in the mining sector. Picture: Gallo Images/Beeld/Deaan Vivier

Human rights and environmental advocates, community representatives and faith-based organisations will rather be found at the 10th Alternative Mining Indaba taking place in Woodstock. It advocates "equality and justice where benefits of natural and mining resources are shared equally". A key session last year was "Seeking to Reverse the Resource Curse through Legislative, Policy and Institutional Reform".

Together, both indabas encompass mostly all the players who will, in practice, shape mining activities for decades to come (though notably, labour is not well represented at either). But the existence of two separate events indicates differences in perceptions, interests, power and voice in the mining sector: stakeholders do not see their interests as aligned. We can predict the outcomes of this misalignment.

From a business perspective, projects will experience delays, cost overruns, and even abandonment as the deals celebrated at the Cape Town International Convention Centre face

opposition from those meeting in Woodstock.

From the human perspective, environmental, social and human rights challenges will mount far faster than any benefits that mining can hope to make up for. As in Marikana, acute violence will be the most visible symptom of conflicts and power struggles among mining companies, local government, traditional authorities, labour unions and criminal networks that undermine human rights and development.

The evidence base is strong on how to get it right: projects succeed when parties – from the powerful to the most vulnerable – engage early, share an understanding of the full range of issues implicated by mining regulation, licensing, financing, construction and operations; collaboratively collect and analyse data; imagine possibilities that meet the interests of different stakeholders; give all an effective voice at the decisionmaking table and put mechanisms in place to fairly and efficiently manage the disagreements that will inevitably occur.

This happens at dialogue tables like the one established in 2004 that helped turn around the Tintaya copper mine in Peru's Andean highlands, where conflicts over expropriated lands, environmental degradation and human rights abuse were resolved through institutionalised, facilitated dialogue involving the state, communities and the developers.

Things fall apart when, as subsequently (under new ownership) at the Tintaya mine, parties abandon their commitment to social dialogue. There they have fallen back into patterns of disruptive and often violent conflict.

In SA, separate indabas will predictably lead to violent confrontations like those in the Richtersveld – where communities protested their exclusion from sites occupied by mining contractors – and in court actions like those involving the communities of Maledu and Xolobeni fighting (increasingly successfully) for their right to decide whether and how their land be used for mining.

So what will it take to move from two mining indabas to one?

First, it will require a lot less exuberant over-promotion of mining's presumed benefits and a lot more listening to the real concerns of people. More sombre and inclusive sessions that ensure that affected communities co-determine decisions on finance, regulation, licensing and whether and how operations should proceed.

Second, it will require impartial support for dialogue, data collection and analysis, problem-solving and dispute resolution between parties who are deeply distrustful of each other.

By bringing together those who are willing to take the risk of working together for positive change and providing them with the support they need, even seemingly intractable situations can shift. Leaders in mining can go faster and further with institutionalised mediation – conceptualised here as one indaba – that can reconcile sustainable business, inclusive economic growth, and human development for SA and the continent.

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