



ZIMBABWE ALTERNATIVE MINING INDABA (ZAMI), 2013

DECLARATION BY PARTICIPANTS

ADOPTED AT CROWN PLAZA HOTEL, HARARE, ZIMBABWE

ON THE 11TH SEPTEMBER, 2013

WE, members of civil society, community based groups and activists, traditional leaders, faith based organisations, youth and women groups, the media, with regional representation from South Africa , Mozambique and Zambia having gathered at the 2nd Zimbabwe Alternative Mining Indaba (ZAMI) in Harare, from the 10th -11th of September 2013 at the Crown Plaza Hotel, jointly hosted by Zimbabwe Environmental Law Association (ZELA) and the African Forum and Network on Debt and Development (AFRODAD) under the theme *“Community Rights, the Key to Empowerment”*,

CONFIRM that the ZAMI is a yearly alternative platform for different participants to share and exchange ideas, experiences and strategies on how to promote the rights of communities affected by mining operations and noting that those affected by mining operations are not always afforded an equal opportunity by private sector actors who organise Mining Indaba’s and other platforms to participate and share their problems;

AWARE of the significant contributions that prudent, efficient, equitable and sustainable exploitation and management of our mineral resources can make towards the achievement of broad-based socio-economic development;

CONVINCED that while Zimbabwe is resource rich, there are high levels of poverty and under-development in many communities and that communities that are directly affected by mining operations and citizens in general, have not benefited from the mineral wealth;

CONCERNED that the extractive sector in Zimbabwe has been politicized thus compromising human rights, transparency and accountability, environmental sustainability, socio-economic justice, inter-generational equity;

CONCERNED FURTHER by the poor recruitment policies, remuneration, working and living conditions and other unfair labour practices in the mining sector;

NOTING some of the steps taken by government over the past year to develop various policies and initiatives in the mining sector such as the **Zimbabwe Revenue Transparency Initiative (ZMRTI)**, the **Draft Minerals Policy**, the Diamond Policy and significant efforts to comply with the **Kimberley Process Certification Scheme (KPCS)** on the trade of diamonds and the establishment of **Community Share Ownership Schemes**;

HAVING deliberated during the Zimbabwe Alternative Mining Indaba, we specifically demand that the Zimbabwean government;

1. Enacts legislation that will transform the extractive sector from being a raw material activity to an industrial one through promotion of value addition. This should be done through the passage of a new Mining law than the current Mines and Minerals Act which is old.
2. Enacts and passes laws and policies that maximize on the high commodity prices of minerals and to develop linkages leading to the growth of other sectors of the economy such as manufacturing, transport and agriculture thereby create the much needed jobs and improve the delivery of social services in general.
3. Uses the Africa Mining Vision (AMV) to strengthen the provisions of the current draft Minerals Policy and other legislation governing the mining sector.
4. Strengthens the capacity of the Zimbabwe Revenue Authority (ZIMRA) and other revenue collection institutions for maximum mineral revenues collection to eliminate tax evasion and avoidance. Further, government should provide scope for further consultations with communities and civil society on the formulation of the **Income Tax Bill** on issues related to mining revenue collection.
5. Undertakes a comprehensive geological survey and audit of the mineral resources in the country to ensure that mining contracts are negotiated from a geologically informed position.
6. Ensures enhanced transparency and accountability throughout the whole mineral value chain from the negotiation and awarding of mining contracts, public disclosure of contracts, production figures and mineral revenues. In this case there is need for continued implementation of the Zimbabwe Mining Revenue Transparency Initiative (ZMRTI) to enable the public disclosure and publication of mineral revenue for purposes of transparency and accountability.
7. Promulgates a Diamond Bill to create a comprehensive legal framework dealing with the trade, audit trail and marketing of diamonds as well as revenue sharing and distribution. In

this regard ZIMRA and the Minerals Unit must monitor all production stages and marketing of diamonds.

8. Revises and provides clarity on the calculation of unit tax for the benefit of Local Authorities.
9. Adopts clear and transparent mechanisms for the implementation of the Indigenisation programme in the mining sector and to ensure that all laws and policies are clear and easy to interpret and apply.
10. Ensures that Community Share Ownership Trusts be provided with financial performance information of the companies in which they own shares and get Share Certificates. In this regard, Community Share Ownership Schemes should also provide information to community members about how much they are receiving and how the funds have been used. Therefore, information should be made publicly available.
11. Passes laws to legalise artisanal mining and organize them into groups to ensure they comply with environmental laws and ensure that they pay reasonable taxes commensurate with their operations and means. In addition, Small Scale miners should be provided with adequate financial and technical support.
12. Develops a gender sensitive Minerals Policy and ensure adequate participation of women and other marginalized groups during the consultation processes towards the development of the policy.
13. Provides adequate financial and technical resources to the Zimbabwe Human Rights Commission to investigate and monitor cases of human rights violations in the mining sector, especially environmental, economic, social and cultural rights.
14. Ensures that the Environmental Management Agency improves its environmental monitoring activities in mining areas and compel mining companies to rehabilitate and reclaim open pits created by mining operations in areas such as the Great Dyke. The Environmental Management Agency and the Ministry of Environment must take comprehensive steps to address the plight of communities living along Save River and Odzi River which are being affected by diamond mining companies operating in Marange to stop polluting the rivers. In the same vein mining companies operating in Marange and other mining areas must adopt proper environmental management systems to curb and control pollution of rivers and dams.
15. Protects and promotes the rights of mine workers and Chinese mining companies in particular must abide by the labour laws of Zimbabwe.

END

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