MINING EDITION

ABN The African Biodiversity Network is a regional network of individuals and organisations seeking African solutions to the



JULY-SEPTEMBER 2014

Much ado about mining

NEO-LIBERALISM

Gender & Mining in Ghana and **South Africa**

ALSO

THE BIG QUESTION IN UGANDA

According to the 2003 Mining Act of Uganda, benefits from mining are shared as follows; 80% to the government, 17% to the district and a paltry 3% to the land owners

IN THE SPOTLIGHT

The African Mining Vision. Is it really what Africa needs?

THE LAST WORD

A community in Sourth Africa unites to oppose mining on its ancestral land

Leave the OIL in the SOIL! Leave the COAL in the HOLE! Leave the TARSANDS in the LAND!



MINING EDITION JULY-SEPTEMBER 2014

PAGE 5 IN THE SPOTLIGHT The African Mining Vision (AMV)

ONTENTS



(Shocking) facts about minerals in Africa

PAGE 11 Threat of mining to Sacred Natural Sites

LEGALLY SPEAKING Human-centered and reductionist legal and policy Frameworks

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THE BIG QUESTION IN UGANDA

FOCUS ON MINING

LEAD ARTICLE



ABN



communities.

THE LAST WORD Mupo Foundation & Dzomo la Mupo oppose the Mopane Coal Mine

Gender &

mining

in Ghana

and South

Neoliberal oriented mining and labour

regime has created more

unstable conditions for mine workers and mining

Africa Page 6

PARTNERS' NEWS

A win for Sacred Natural Sites



RABE-Benin, one of ABN's partners in West Africa is pleased to share a much awaited English translation of the 2012 Benin law recognising sacred forests and their custodian communities. This significant precedent for the legal recognition and protection of Sacred Natural Sites is the first of its kind in Africa.

The Benin law is another important contribution towards a body of international law which recognises Sacred Natural Sites as 'No Go Areas' for mining, extractive industries and other destructive development; and communities' customary governance systems, based on Earth's laws, as part of Africa's plural legal systems.

GRABE-Benin and the Gaia Foundation have translated the text of the Benin law from French into English (an unofficial version), with support from the African Biodiversity Network.

This document aims to serve as an educational and advocacy tool for other communities and civil society, inspiring and supporting the establishment of similar precedents elsewhere for the recognition of Sacred Natural Sites and their custodian communities.

NAPE's New Report

A new report released on 3rd July 2014 by the National Association of Professional Environmentalists (NAPE), Uganda and The Gaia Foundation (UK) reveals how mining is significantly threatening ecosystems and communities in the Bunyoro region of Uganda.

The report - Mining and its impacts on Water, Food Sovereignty and Sacred Natural Sites and Territories advocates for the recognition and protection of watersheds, food sovereignty areas, and Sacred Natural Sites and Territories as No Go Areas for mining and extractive activities.

Click on the link below to download the report:

http://www.gaiafoundation.org/sites/default/files/napegaiaminingreport.pdf

A NOTE FROM THE EDITOR Hands off our sacred natural sites



Sacred Natural Sites are critical places within ecosystems, such as forests, mountains, rivers and sources of water, which are of ecological, cultural and spiritual importance, and exist as a network embedded within a territory.

Despite their importance, the capitalist development paradigm of gross accumulation by any means has seen most SNS destroyed and many local and indigenous communities lose their livelihoods and sense of belonging.

This issue deals with the impacts of mining in Sacred Natural Sites in Africa, with ABN partner organisations speaking about the experiences of the communities they work with in fighting for ecological justice, food sovereignty and land rights. In addition, we have a piece on the intersections between the extractive industries, labor and gender in Africa.



Ruth Nyambura Advocacy and Communications Coordinator African Biodiversity Network

IN THE SPOTLIGHT

CRITIQUES OF THE AMV

While the AMV initiative of the AU attempts to address mining challenges on the continent, it is doubtful if the policy as currently tailored can deliver on its objective of greater benefits to the people as the status quo promotes the externalisation of production costs and the senseless plunder of the environment without adequate remediation.

From the text of the policy, obviously the AU is yet to consider looking inwards for value addition. African leaders are still focusing on extraction mainly for export markets in Europe and other parts of the world, thus condemning the African continent to doom and an unequal exchange and use of natural resources. This has led to a point where we have over-exploitation in the global South and a corresponding over-consumption in the global north.

One critical section is that which relates to communities affected by mining - The policy must address key principles like prior informed consent of mining communities in relation to the commencement of mining operations; prompt, adequate and fair compensation for loss of means of livelihood; protection from negative environmental impacts, and the effective support for communities to participate in mining- related economic activities."

It is better that the resources on the African continent are left on the ground, untapped in order to prevent violent conflicts, wastage, plunder, and wanton environmental degradation.

Source:

http://www.vanguardngr.com/2013/09/rightsgroup-tasks-au-on-african-mining-vision/ http://www.minesandcommunities.org/article. php?a=12133

http://pambazuka.org/en/category/features/87799



The African Mining Vision

he Africa Mining Vision (AMV)was adopted by heads of state at the February 2009 AU summit following the October 2008 meeting of African ministers responsible for Mineral Resources Development. It is Africa's own response to tackling the paradox of great mineral wealth existing side by side with pervasive poverty.

The AMV is holistic. It advocates thinking outside the "mining box". Accordingly it's not just a question of improving mining regimes by making sure that tax revenues from mining are optimised and that the income is well spent – although that is clearly important. Rather it's a question of integrating mining much better into development policies at local, national and regional levels.

Source: www.africanminingvision.org

KEY LIMITATIONS OF THE AFRICAN MINING VISION

The priority given to economics over ecology, and economic development over social and cultural development; the absence of consideration of environmental liabilities; and the absence of community consent as a key objective.



The failure to recognise a larger framework of considerations of mining versus other land uses and other development options: agriculture, pastoralism, fisheries, even hunting and gathering; this includes the assumption that natural capital – non-renewable resources – only have value when they are exploited.



Third, the assumption that mineral consumption, sales, and revenues can be relied on over time.

Source: http://www.miningwatch.ca/article/africa-mining-vision-limited-field-view

FEEDBACK

Do you have any questions you'd like to ask or comments you'd like to make? We would love to hear from you. Email us on abnsecretariat@africanbiodiversity.org or write to us at African Biodiveristy Network P.O. Box 6271-01000 Thika, Kenya. You can also interact with us on our facebook page africanbiodiversity or follow us on twitter @africanbiodiv

Gender and mining

in Ghana





There has been an expansion in mining activities in recent years, which has gone along with an increase in the number of women in mining and persistent gender division in mining labour. **HIBIST KASSA** seeks to explore gender in working-class struggles in mining in two countries, Ghana and South Africa, which are the top two producers of gold in Africa>>>>>

ining is centrally important to the economies of developing countries and particularly in Africa. However, it is not uncommon for South Africa to be treated as an exceptional case. This article seeks to draw attention to the parallels which can be drawn with other African countries.

One of the key trends in mining has been the imposition of neoliberal oriented economic policies which has been a feature of both countries. This has involved the widespread use of capital intensive production methods, temporary, casual and informal work. Women workers, have been employed in mines, however, they are still a minority.

This has gone alongside stagnation in agriculture which has undermined the position of smallholder producers in agriculture, majority of whom are women. This is also a product of liberalisation policies in trade with a focus on export led growth which has undermined attempts to build economies based on domestic consumption with manufacturing playing a central role. Altogether, this has fed the rapid expansion of small scale mining, most of which is undertaken illegally.

Women were only recently allowed to return to underground mine work in large scale mines and tended to be relegated to marginal and low income jobs. The formal elimination of women in underground mines can be traced back to the 1800s. In India this measure coincided with a shift from labour to capital intensive forms of production. It appears as though women tend to be employed underground when labour intensive production is prominent or when there is a labour shortage. The further improvement in technology, increased education of women and labour shortage after the Second World War, contributed to the return of women in underground mines in North America.

The extent to which this persists today is illustrated by a Chilean copper mining company cited in the Financial Times as saying '....the country will need about 44, 000 extra workers by 2020 to meet industry investment plans and says more women would help to address the skills shortage'.

However, in Western and Central Africa, including the Democratic Republic of Congo, women have been reported to dominate mining pits where they are physically better placed to undertake digging.

Artisanal and small scale mining, mining communities, large scale (and formal) mining, and the women in and around them, are usually treated as separate topics. However, there is a need for greater attention on the linkages between formal and informal mining.

The linkages between production and reproduction in and off the mine and also the formal and informal, open up windows into understanding shifts or even transformations in gender in working class struggles and how these in turn shape political outcomes and contestations around neoliberalism. This is particularly important for labour and social movements which seek social, economic and gender justice.

It is understandably difficult to gather reliable statistics on artisanal and small scale mining precisely because of the predominantly informal nature of these activities. However, the above indicates that women tend to be concentrated in artisanal and smallscale mining as compared to largescale mining in Ghana. In large scale mining they are relegated to clerical and administrative work. Nonetheless, this has not altogether prevented women from playing leadership roles in trade unions. In the meantime, it also appears as though women are less involved in artisanal and small-scale mining in South Africa relative to their counter parts in Ghana and large scale gold mining. Apart from being workers, women are also in mining communities where they are part of protests, and other forms of resistance, against mining companies and the state.

There is intense debate over the merits and costs of artisanal and small scale mining, particularly in respect of women's role. In an important study on Ghana, Mariama Awumbila and Dzodzi Tsikata in 2010 describe how women are generally concentrated in the production of non-precious minerals and are marginalised in gold production which is regarded as men's work. Gender segmentation of mining relegated the majority of women

>>>continued on page 9

DID YOU KNOW?

Africa produces more than 60 metal and mineral products.

It is a major producer of several of the world's most important minerals and metals including gold, diamonds, uranium, manganese, chromium, nickel, bauxite and cobalt.

It is believed that Africa has about 30% of the planet's mineral reserves of which gold comprises 40% and cobalt, 60%.

The increase in exploration and mine development in Africa has been primarily focused on gold and diamond exploration.

South Africa, Ghana, Zimbabwe, Tanzania, Zambia and the DRC **dominate** the African mining industry.

Unfortunately, many African civil Wars are funded by and often caused by some of these commodities, in particular oil and diamonds.

>>> Continued from page 7

to lower income wage work such as porterage. They also observed that most of the women were obliged to provide sexual services to supervisors in order to improve their position in the mine. They therefore concluded that the opportunities created in this sector were outweighed by the costs borne by the women mine workers.

However, they also describe the restructuring of livelihoods around small scale gold production (in a district) in Ghana which had previously been solely dependent on agriculture. Thus, due to the fact that women miners earned their own income, as producers linked to a global value chain of a highly valued mineral commodity, they could do more as breadwinners in the family and exert greater independence. Among other things, Awumbila and Tsikata describe how they are in a better position to develop personal relationships which could challenge traditional norms of marriage and monogamy.

Unsurprisingly, many of the male mine workers in Ghana did not want their wives to mingle with women mine workers who they thought were 'spoiled'.

Awumbila and Tsikata have therefore shown how an agrarian community has been drawn into a global value chain within the mining industry, with improved livelihood prospects (as compared to what small scale agriculture offers) even as there have been persistent gender inequalities, and broader environmental, health and safety implications. They have also given insights into the manner in which social relations are also transformed or changed alongside this.

The above emphasises on the need for a holistic understanding of how mining exerts an influence on the political economy of gender and labour. There is therefore a need to look at specific political and economic contexts while also drawing similarities to unpack the gendered nature of mining. This is more so, under current conditions of price volatilities in precious mineral commodities, after more than a decade of high commodity prices. The upturn persisted for a while even after the global economic crisis ravaged developed economies. The global economic crises, which unravelled in 2008, had significant impact in African economies. From sharp falls in growth rates, increases in food prices and layoffs, the outcomes illustrated very quickly how much three decades of economic liberalisation had eroded the ability of these economies to protect their domestic markets from external shocks. The economic crisis, as it emerged in developed countries dovetailed into ongoing and deepening climate, food and fuel crises. These multiple crises exposed persisting vulnerabilities inherent in the structure of economies which were further deepened in the neoliberal period.

In these conditions, there has been a surge in strikes, particularly in education and healthcare services, to protest caps on wages, employment freeze, poor working conditions which altogether reinforce demands for decent work and a living wage. In response to price volatilities, there has also been largescale retrenchment of labour in mining, (some related to subcontracting, mergers and acquisitions) and resistance by mine workers.

In the aftermath of the recent fall in gold prices, there have also been threats to fire about 4 000 mine workers in Ghana's mining industry. AngloGold Ashanti in July fired about 430 workers from a single mine out of a total mining workforce of about 8000 in Ghana. The company has now announced it will shut down the shafts in Obuasi mine, one of the oldest mines in the country, to focus on surface mining. According to the association of mine workers wives in Obuasi, this will have dire consequences for their families, pushing their husbands into artisanal mining. Also, surface mining has been noted as being even more environmentally destructive and will further affect communities in and around mining areas.

In the mean time, mining labour has been marked by splits with the rise of militant trade unions. In South Africa, militant struggles have been largely waged by a new mining union, the Association of Mining and Construction Union (AMCU) which currently centres on platinum mines. On the other hand, the longstanding National Union of Mineworkers (NUM), now seen as an ally of mining interests and at the very least compromising and undermining mineworker struggles in the platinum belt. In the 2012 platinum strike, which culminated in the now historic Marikana massacre, the strikers persisted even after the massacre of 34 mine workers without the backing of NUM, inspiring other strikes in the gold sector. This year this struggle persisted with a five month long strike which has seen an annual increase of wages by 20%.

Even as these events unfolded in South Africa, the gold sector in Ghana also experienced an upturn in militancy, as a historic high in gold prices plummeted, threatening jobs in a context of wage inequality. Trade unions have raised serious concerns about the sector on wage inequality. According to Kofi Asamoah, Secretary General of Ghana Trades Union Congress (GTUC), mine workers on average earn less than workers in fishing and education.

The gap between expatriate staff and locals is considerable. Expatriates can earn about US\$ 40, 000 while locals earn US\$500. Thus, splits in the Ghana labour front began to solidify in the mining sector with the emergence of militant offshoots from the Ghana Mine Workers Union (GMWU). However, the full extent of the resistance of mine workers has not been explored. To date, mine workers in Ghana have been largely assumed to have been weakened by reforms in the sector and the labour regime as a whole (Essuman-Johnson, 2007).

The above illustrates how the neoliberal oriented mining and labour regime has created more unstable conditions for mine workers and mining communities, and the economy as a whole. It is within these circumstances that it is important to understand how this has had an impact on gender and the extent to which this has or can be questioned, transformed or challenged. This holistic understanding can potentially contribute to bridging a gap between labour and social movements which to date tend to approach environmental, social and economic justice questions in a fragmented manner.

The writer is a PhD candidate at the Department of Sociology, attached to the South African Research Chair in Social Change in the University of Johannesburg. She is undertaking a comparative study on Gender, Mine Labor and Mining Communities in South Africa and Ghana. hibkasa@gmail.com

The threat of mining to sacred natural sites

Sacred Natural Sites and Territories in Africa are threatened with irreversible destruction from economic, social, political, religious and legal developments. This has been the trend since colonial times and has sadly persisted after independence. Since the global economic collapse in 2008, threats to Sacred Natural Sites and communal lands have further intensified.

he International Union for Conservation of Nature (IUCN) Resolution 4.038 on the Recognition and Conservation of Sacred Natural Sites in Protected Areas, states that many Sacred Natural Sites are at risk and subject to a wide range of pressures and threats, such as: impacts from the operations of extractive industries (e.g. mining, logging); encroachment by outsiders (e.g. poaching, illegal fishing, vandalism, looting of burial grounds and archaeological sites); poverty and population dynamics (e.g. new settlers, conversion to other faith groups); disrespectful tourism and recreational activities; degradation of neighboring ecosystems; and climate change (e.g. extreme weather events, sea-level rise, drought, floods and erosion).

Impact from the operations of extractive industries deserves a particular mention, as the scale, expansion and acceleration in mining, oil and gas extraction is staggering. These are major drivers of land grabbing globally, and pose a significant threat to the world's indigenous and local communities, farmers and local food production systems, and especially to precious water, forests, biodiversity, and Sacred Natural Sites on which life depends. The Report: Opening Pandora's Box: the New Wave of Land Grabbing by the Extractive Industries and the Devastating Impact on Earth explains that the trend is driven by rising prices of metals, minerals, oil and gas because these more easily accessible sources have been depleted and this has acted as an incentive to explore and 'exploit' new and more pristine territories. This is combined with more sophisticated technologies to extract materials from areas which were previously inaccessible or 'uneconomic'; and a marked acceleration of global investments in extractive industries since the 2008 collapse of financial markets.

The underlying stimulus is the thorny issues of consumption, planned obsolescence of products, and unsustainable production processes. According to the United Nations Environment Programme (UNEP) we are looking at a tripling in global annual 'resource' extraction by 2050 – a scenario that the Earth simply cannot sustain.

Download our report on Recognising Sacred Natural Sites in Kenya

LEGALLY SPEAKING

Human-centered and reductionist legal and policy frameworks

The dominant laws and policies concerning Sacred Natural Sites and Territories are framed in human-centered and reductionist values. They regard Earth as merely a 'resource' to be exploited rather than respected as a living being and the life support system of all beings on Earth.

There is a lack of understanding that Earth is the source of law; that she is alive; and that all members of the Earth Community have the right to exist, the right to habitat and the right to participate in the evolutionary process. The current human-centered approach does not recognise that we are all fundamentally dependant on Earth for our survival. While some laws do recognise the need to protect natural heritage and certain elements of Earth, such as forests and rivers, very few take an 'ecosystem' and holistic approach. Recognition of the need for protection is primarily for human benefit rather than as a moral obligation to maintain the health and integrity of the whole Earth Community.

As Thomas Berry warned, modern industrial law tends to be used to legitimise the destruction of Earth and bio-cultural diversity, rather than to recognise and support them.

The BIG question in Uganda

The mining sector in Uganda is increasingly expanding as more minerals are discovered, with the most common form of mining being artisanal. To most Ugandans and the government, discovery and extraction of minerals is viewed as a source of wealth; in the form of well-paying jobs for locals, businesses being set up as well as the hoped for increase in the Gross Domestic Product (GDP). But what does this really mean for this landlocked country in East Africa, **SHILLAR KYOMUGISHA** writes>>>

hile the mining industry in Uganda is relatively small, there is a likelihood that it will expand, especially with the current discoveries of oil and gas in the Albertine region of Uganda.

Currently, mining is taking place mainly in Mubende, Karamoja, Kasese and Kisoro districts of Uganda; with gold, salt, limestone, and iron ore being the most common minerals. Many other minerals continue to be discovered in other districts: for example, oil and gas in Buliisa, Hoima, Kanungu, Kasese and Amuru districts.

According to the Ugandan Ministry of Energy and Mineral Development (MEMD), mining is expected to play a large role in the future economic development of Uganda; with the ministry stating severally that mining, especially of oil and gas, will create jobs and is envisaged to be the biggest foreign exchange earner in the near future.

Unfortunately, the social and environmental cost of extracting and exploring minerals in Uganda is increasingly becoming unbearable especially when it comes to land issues and degradation of the natural environment. Extraction of minerals has brought with it the grabbing of community land and forced evictions of local communities living in the mining belt, by private individuals, government and mining companies.

This contradicts article 237 (1) of the 1995 Constitution of the Republic of Uganda which states that, "Land belongs to the citizens of Uganda." What keeps ringing in people`s minds is, Whom does land belong to, the citizens or the government?

This comes at a time when communities, especially those around mining areas, are being forced out of their land by government without being given a fair hearing to negotiate or state the value of their land and other properties.

In other mining districts of Uganda, the situation is not any different. Media reports already indicate land grabbing in the gold mining areas of Karamoja. According to the Weekly Observer of 30th June 2014, communities` land around the gold mining areas of Karamoja is being given to dubious investors. Local leaders in Karamoja say that the government is conniving with unknown people to fence off huge chunks of mineral rich land for their private businesses under the guise of conserving the environment.

Whereas Uganda's land law recognises customary land ownership, the government has never granted customary certificates anywhere in the country. In Karamoja, land is owned communally and it is the elders who are in charge of how it should be used. Land grabbers are taking advantage of the ignorance of the elders, who cannot read or write, by giving them posho and ajon (local brew) and who are then told to thumb-print on documents authorising their land being taken away. Also, the communal land form of ownership in the area gives mining companies and individuals leeway to exploit the communities because they lack a basis for claiming ownership benefits.

According to the 2003 Mining Act of Uganda, benefits from mining are shared as follows; 80% to the government, 17% to the district and a paltry 3% to the land owners.

This is contrary to the situation in Karamoja and other mining areas in the country. There are currently more than 20 mining companies licensed to carry out mining activities in Karamoja; though the communities have nothing to show for it as wealth realised from mining!

A report by Human Rights Watch ('How can we survive here?' The Impact of Mining on Human Rights in Karamoja, Uganda), indicate that already people are being chased away from their land by mining companies and security agencies and are excluded from decision making about development on their own land.

There are likelihoods of clashes and the resultant loss of lives between the artisanal gold miners (who are mainly Karimajongo) and the large mining companies and this is likely to have far reaching impacts on communities especially near gold mining areas.

Around the gold mining areas in Mubende District in Western Uganda, families are forcefully being evicted from their land to create way for gold mining. Reports by The Observer newspaper, 2012, indicated that 250 families had already been evicted. The number continues to increase as the mining expands.

From the gender perspective, women continue to suffer impacts of mining and the resultant land grabbing more than the men. Hear the voices of some of the Ugandan women affected by the oil refinery.

Stella Keihangwe says, "Government has not done anything. It is now two years since we were told not to grow food crops that go beyond 3 months on our land. Issues concerning families and land have got worse. Men left homes after receiving land compensation money! Government accepted only men to sign over land. So as women, when we ask `should we sign and give our account numbers?` they ignore us!"

Another woman also affected by the oil refinery area had this to say; when they came to demarcate the boundaries of the road to the refinery area, they did not inform us as owners of the land. So we found our gardens being demarcated without our permission. Neighbours of mine had their garden cut down.

The realisation of the fact that most of the mining activities take place in highly fragile ecosystems is of paramount importance. Such ecosystems are Sacred Natural Sites whose destruction means destruction of communities` places of highly ecological, spiritual and cultural significance. Government should recognise the right of communities to take part in decision making over their land and should seek for their consent when it has vested interests. Government should take into account and address, particularly on policies, impacts of mining and other extractive activities on local communities especially the vulnerable groups like women and children. Civil society organisations should strengthen capacity of the communities around mining areas to resist extractive activities and the resultant land grabbing, lest they remain destitute in their own land.

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THE LAST WORD

Mupo Foundation & Dzomo la Mupo oppose the Mopane Coal Mine



On Saturday 19th October 2013, the Mupo team and members of Dzomo la Mupo, a community group representing 12 indigenous clans across the Vhembe District attended Coal of Africa's (CoAL) Open Day on the proposed Mopane Coal Mine - MbeuYashu. It was becoming increasingly clear that mining only benefits an elite and privileged few; it impoverishes the majority and it destroys land and livelihoods. Julliana Thornton recounts >>>

WATER WARS

The proposed mine will not only operate for 50 years but will deplete the province of water to the extent that it will take 100 years before the water table is renewed.

CoAL apparently does not see the full implications of this admission. Where there is no water, there is no life. This would affect many generations of human (and animal) lives, for the coal to benefit only a few, for a few years, not to mention the further damage wrought on the environment through the continued use of fossil fuels.

Increased pressure on already scarce water resources raises the spectre of "Water Wars" as people struggle for this most basic of needs.

JOB LOSSES

Proponents of the mine promise 917 jobs over the course of its operation, a number that pales in comparison to the potential loss of up to 11 000 jobs in the agriculture and tourism sectors as a result of the mine's destruction, which would last well beyond the mine's closure. Furthermore, if the operation of the nearby Vele mine is anything to go by, then CoAL is unlikely to be able to deliver on this promise.

In 2009, CoAL promised that the Vele colliery would create 826 jobs. Before closure in 2013 the total number of jobs at the mine was less than half of this - 342 jobs. With closure, a number of people were retrenched and there are currently only 187 jobs resulting from the Vele mine - less than a quarter of those promised.

ECOCIDE

The proposed mine will threaten sensitive ecosystems and destroy the habitat of the Cape Vulture, a common resident at present. As the saying goes, "We do not inherit the earth from our ancestors; we borrow it from our children". In this case we will be destroying the Limpopo Valley for generations to come.

If allowed to go ahead, the mine will destroy over 50 graves as well as other heritage sites in the area.

The Limpopo Valley is currently the bread basket of South Africa, providing much of our fresh produce through fertile farms. The province is also densely rich in heritage and culture and provides countless opportunities for tourism. The proposed mine will destroy all this.

These are some of the reasons why communities represented by Dzomo Ia Mupo are totally opposed to the Mopane Coal Mine, and we will continue to make our voices heard against this mine and any future coal mines, as we did at the meeting on 19th October 2013.

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COMING SOON

A compelling documentary on how mining is a threat to Sacred Natural Sites.