

# MINING WHISTLED BLOWER



## INSIDE THE ISSUE:

Editorial	01
Increase of child labour in mining concerns youths	02
Miners give their insights on a typical cadastral system suitable for Mat South pilot project	04
Farvic's move to allocate mining claims receives mixed reactions	08
Outsiders increase violence, chaos in the mining sector—local miners	10
Traditional leaders live up to their role as they halt Chinese miners in UMzingwane	12
WOMEN ARTISANAL MINERS ESTABLISH ASSOCIATIONS FOR A COLLECTIVE VOICE	15

01

02

04

08

10

12

15



## EDITOR'S NOTE

---

This newsletter gives a detailed article on the findings of a needs assessment study commissioned by Community Youth Development Trust (CYDT) in partnership with the Zimbabwe Environmental Lawyers Association (ZELA) to gather insights from the miners and other stakeholders of a typical cadastral system which would be suitable for the pilot project that focuses on Matabeleland South. This newsletter also highlights how artisanal and small scale miners responded to the decision to allocate mining claims as tributes by Farvic Consolidated Mine, a gold mine near West Nicholson in Matabeleland South. The newsletter also gives update on EPOs, in which miners are concerned by the fact that they have closed down mining lands for local miners since they cannot peg their titles in areas that are under EPOs. Other key issues unpacked in the newsletter are; growing concerns over the increase of child labour and the increase of illegal mining in Matabeleland South Province mining sector.

**Happy Readings!!!**

## Increase of child labour in mining concerns youths

**Y**oung women and men involved in artisanal mining have raised concern over the increase in numbers of young children which they described as a serious violation of children's rights.

It has emerged that due to financial constraints and poverty, many children especially boys have dropped out of school and resorted to artisanal mining.



It is reported that experienced artisanal miners and mining claim owners are taking advantage of the young children.

"We are concerned with increased child labour and most of the times these are being used to perpetrate violence," said George Sithole, a miner. "Some miners end up

recruiting minors into their machete gangs. Mostly under tribal lines, they are being incorporated to these groups and they are subjected to drug and substance abuse. When they are high on drugs, they are used to raid and rob people of their hard earned ore."

Another miner Patrick Masina said, it becomes more worrisome when one considers the age of the children.

"The majority of them are rowdy and very disrespectful," he said. "You can tell that they are supposed to be school going, however, they now belong to gangs that terrorize people's lives. Girls end up being lured to bad practices as some end up becoming commercial sex workers.

"The environment on its own is not favourable for a girl child. As in mining areas, there is dominance of vulgar language and high usage of drugs and alcohol."

Masina said this has led to increased teenage pregnancies, high rate of school drop outs and also increased prostitution.

"This has also increased the spread of STIs and HIV and AIDS within the artisanal and small scale mining sector," he said.

Milton Nare a youth in mining shared that there was need for making a clarion call on end of child labour within the artisanal and small scale mining sector. "There is need for government to enforce laws that criminalizes the use of minors within the artisanal and small scale mining sector," he said.

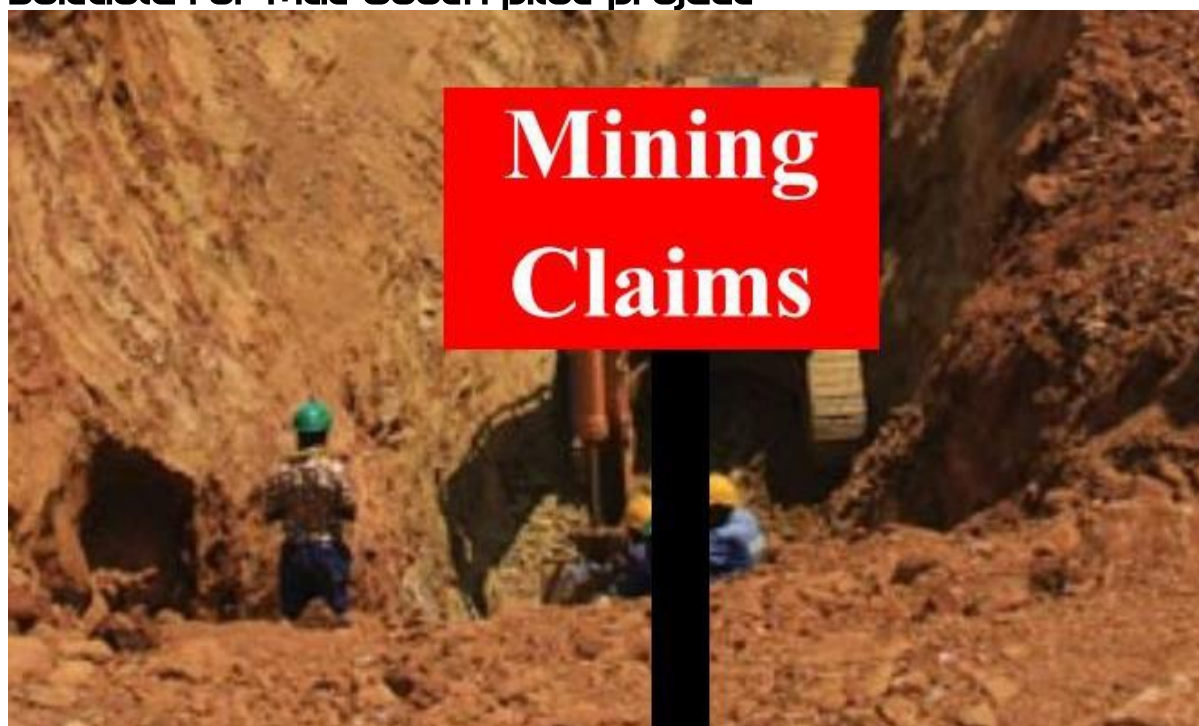
As mitigation strategy, a youth in mining Brilliant Moyo shared that there was need for vocational centres which shall equip school drop outs with skilled labour that can see them have other alternatives besides majoring to artisanal and small scale mining sector.

Artisanal miners said there was also need to have rehabilitation centres to cater for both children and the youths in the artisanal and small scale mining sector who have

become drug addicts. They said there was also need for reaching out to mining areas to advocate for end of child labour within the artisanal and small scale mining sector.

They challenged the Ministry of Mines to have random field visits assessing child labour situation within mining claims. The miners recommended that the Ministry puts heavy penalties to those abusing the rights of girls and boys as way of fighting child labour within the artisanal and small scale mining sector. They added that there was also need for CSOs to raise awareness on increased child labour within the sector.

## Miners give their insights on a typical cadastral system suitable for Mat South pilot project



The Community Youth Development Trust (CYDT) in partnership with the Zimbabwe Environmental Lawyers Association (ZELA) has commissioned a needs assessment study as a way of gathering insights from the miners and other stakeholders on a typical cadastral system which would be suitable for the pilot project that focuses on Matabeleland South.

The survey managed to gather views of miners in terms of the material or equipment needed, the functionality of the system as well as data management and security.

During discussions on the management of the system, miners argued that there should be a way of establishing how the Ministry of Mines and Mineral Development (MoMMD), Ministry of Lands and local government institutions can work together effectively.

This view was supported by some miners who said they were involved in the mining of quarry which they said was governed by the ministry of lands.

Miners also argued that some of the conflicts that usually emanate from miners and farmers involve the two

ministries as the MoMMD is responsible for mining activities whilst the Ministry of lands governs farming land.

On the other-hand, before one gets a mining license, they are given permission to go and prospect by the local government (Gwanda RDC or Gwanda Municipality).

Considering that the pilot cadastral system will have to reflect available areas for prospecting, working relations between these two stakeholders were considered s critical by the miners.

Emphasizing the need for the involvement and partnership of these three stakeholders, one participant highlighted that, “They (MoMMD) are too corrupt and we don’t think this system can work properly if they are the only ones managing the system.”

The participants brought up the case of Bena area where the residential area is under Gwanda municipality whilst parallel to it are mining activities.

Inquiries as to which authority made a wrong pegging has not brought clear answers as both authorities

are said to be denying responsibility of the mix-up.

According to the participants, one mine is about less than 50metres from a pegged residential stands.

Another case of lack of clear boundaries between rural and urban Gwanda in Spizkop area where mining activities are encroaching the urban area was also brought up as further evidence why the management of the Cadastral system should involve the ministry of lands and local government.

Miners listed a number of information which they proposed should be included in the cadastral system.

This covered details of the mine owners such as names, identity numbers and contact details and also the name of the mine and registration number.

It was also suggested that the system should clearly show different types of land use which includes the farms, plots, resettlements and communal lands etc.

In terms of mining already taking place, participants suggested that

mine operational capacity, mine land size, dates of mine pegging and whether the mine was up-to-date in terms of paying all required fees should all be included in the system.

To curb corruption, miners highlighted that the system should provide periodic updates of forfeited mines so that those that are interested may apply.

There were also suggestions that the system should be simple and user friendly with miners highlighting that some may not be using sophisticated mobile phones and therefore a heavy system may be difficult to use and maneuver considering the low levels of education by some miners.

Some of these issues relate to information security especially considering information like personal details of mining claim owners.

Participants said providing such details in the system will help curb corruption and address ghost ownership of mines.

There was no universal agreement on this issue although majority felt

that posting such details on the system should be perceived as a way of promoting transparency which will allow for verification of the existence of mining claim owners.

Participants from Umzingwane district highlighted that information on EPOs should also be availed on the system so that there is transparency on who owns how much of the mining land considering that it was reported that 95% of mining land is under EPOs.

Participants in Matobo highlighted that in addition to the personal details and other details about the mine, the system should provide details regarding the area where the mine is located which are village and ward names.

They also suggested that names of the local leaders of that particular area should also be provided in the system. Further, the participants recommended the addition of key features and man-made features on the maps (rivers, schools, hills, roads etc.) highlighting that this will help provide a more detailed a

clear picture of the area being mined.

Suggestions were that such information should already be available from the Zimbabwe geological reports.

It was suggested that the system should also show the state of environment where mining is taking place or in forfeited mines for easier follow-ups and tracking of law breakers in as far as land management requirements are concerned.

Providing such details will help address minor-farmers conflict in cases where livestock and people are endangered by mine pits.

Participants highlighted that one of the most important functions of the system should be providing online mining license application.

This should be through providing clear information guide on the step-by-step process of the application process.

It should also include documents that should be uploaded accompanying the application, allow for tracking of the application process as well as easy follow-ups should there be no response within the stipulated time-frame.

As highlighted on one focus group, one participant pointed out that, "Our hope as miners is that this system will totally eliminate our visits to the office unless if it is other administrative issues like making payments for example."

Some suggested that the system, if possible should provide online payment services so that miners do not have to travel long distances to visit Gwanda offices.

They highlighted that the disparities between paying in USD and in RTGs has been worrying as the rates are too high, inconsistent and questionable.

## Farvic's move to allocate mining claims receives mixed reactions



communities as  
tributes giving  
away 80  
tributaries.

According to  
PACT (2015),  
“Farvic  
Consolidated  
Mine established  
tribute  
agreements that  
allow miners to  
work legitimately

**T**he Artisanal and Small Scale Mining (ASM) has in Matabeleland South province helped thousands escape poverty while others have managed to start of their own businesses as part of giving an economic stimulus to local communities.

Farvic Consolidated Mine is a gold mine near West Nicholson in Matabeleland South.

The mine recently allocated mining claims to Matabeleland South

and hold bullion. This tribute system allows miners to mine down to 50 meters (about 165 feet) below the surface. The normal tribute system does not specify the depth to which a tributor can mine.”

A section of miners believe the move empowers artisanal and small scale miners as it will help mitigate illegal panning by allowing miners to pan in the legal mining claims provided by the mine.

“I was not aware of this, its news to me but if it is true this is really good.

This move will uplift the lives of local artisanal and small scale miners to a significant extent," said Bhekumuzi Ncube from Gwanda.

While it is a positive development that local miners are reportedly getting mining claims, there are youths who have raised the issue of a dispute among Zanu-PF youths over the control of Farvic Consolidated Mine in a story published by Sunday News in 2018. They have used this political background to question if the recent move to allocate claims to miners by Farvic is not a strategy to gain political mileage.

One youth said, "I hope this is not a campaigning strategy to win votes in next year's elections by the state. I hope this is not a politicised move especially based on the fact ZANU PF youths once fought for this mine."

Meanwhile, artisanal miners from Gwanda have been complaining that EPOs have closed down spaces for local ASMs since they cannot peg their titles in areas that are under EPOs.

According to the Community Youth Development Trust (CYDT) data, about 95% of mining land in Matabeleland is now under EPOs, making it hard for new players to enter the mining sector.

The EPOs confer exclusive rights to prospect for specified minerals in any identified location within Zimbabwe. The maximum is 65,000 hectares in Zimbabwe and a minimum size is up to the company or individual to choose.

In Zimbabwe, EPO's tenure is three years with an option to renew for another three years. EPOs are used by companies as first-pass exploration areas. This means that companies after doing the highly technical exploration studies will eventually drop the EPO ground in three years.

Early this year, the government issued 25 exclusive prospecting orders (EPOs) across the country, giving mining firms the rights to prospect for minerals over the next three years. Each of the EPOs cover 65 000 hectares, according to the Government Gazette.

## Outsiders increase violence, chaos in the mining sector-local miners



Artisanal and small scale mining is the main source of employment for Umzingwane, Gwanda and Matobo people and also attracts thousands of outsiders to relocate to the districts in search of gold.

This migration has unfortunately increased criminal activities leading to injuries and deaths of people.

One resident from Gwanda Mavis Moyo commented that the urban communities of Gwanda have become dens of criminals.

"Majority of artisanal miners reside within the local communities," she

said. "The townships of Spitzkop North and Garikai are the hubs of criminal activities as majority of these miners reside there. This is so because there is no electricity in those townships making majority of miners resort to stay there since the rentals are cheaper."

Now by having a number of artisanal miners staying there it means that the communities are prone to violence, as they fight over different things. Ian Ndovu a resident from Spitzkop North commented that, "sometimes these miners have pending conflict from

their working places and they end up hunting for each other in their places of residence which poses much danger to the community at large."

Ndlovu went to say that, "to make matters worse majority of the artisanal and small scale miners don't have access to mining land. As a result majority don't have enough to survive. A situation that has escalated theft and robbery as miners try to compensate descent lives. Some of the groups that have become the targets are gold buyers. Majority of gold buyers are not registered with Fidelity Printers, this has made it difficult for them to have full protection. This has made criminals target them. Reporting from last year December, there are a number of robbery cases reported and majority come as armed robbery."

Learning from a community security and social cohesions forums that were conducted in Umzingwane, the locals reported that increasing number of unknown artisanal miners have increased crime rate. Majority complained that those from outside

usually terrorize the villagers as they are not known.

In Umzingwane, what make matters worse is lack of police operations as there is no police base, making them depend from Esigodini police officers. Even though youths from CYDT tried to enforce construction of police base in Mawabeni the project became politicized hence delaying commencement of the project. Therefore there is still need for issuing mining land to locals first as this can stand as mitigation to the ever increasing crime rate.

A youth in mining from Umzingwane District, Yvone Moyo shared that for easy control, "there is need for transparency and enhanced operations by the police officers. For as long as they continue receiving bribes from criminals nothing will change. The continued catch and release. system has made it easy for criminals to continue terrorizing communities."

Another youth from Gwanda Thembinkosi Ncube shared that there is need for going back to the system of neighbourhood watch to

increase community security. Ncube added that there was need for landlords and caretakers to make background check before issuing rooms for rentals so as to mitigate the sky rocketing crime rate within mineral rich communities.

Matobo district youths commented that for communities to easily monitor and reduce crime rates, there was need for empowering traditional leaders in issuing mining claims and as they will prioritize locals first.

## **Traditional leaders live up to their role as they halt Chinese miners in UMzingwane**



**T** rue to their role, traditional leaders from UMzingwane managed to put a stop on mining activities that were being

carried out by some Chinese Miners in their district as a way of controlling resources that were being

destroyed and damaged in the process.

Traditional leaders control vital resources such as land and play a very important role to any service delivery and development strategies to be implemented in the rural communities.

It is alleged that the traditional leadership working with councillors had to lobby the UMzingwane Rural District Council and the District Development Coordinator to stop some mining activities after a Chinese company came into their community, and started practicing alluvial gold mining, cutting down trees and diverting river flow.

Vusumuzi Mpofu who witnessed the damage said, “We are very grateful to the local leadership who stopped this. The Chinese came into our community and started mining for gold in our river.”

“Mind you, this is the main source of water for us and our animals,” he said. “We started to realize that the water was turning into a sludge, a very dangerous substance for our livestock. Some livestock died from

taking in the sludge, this did not really go down well with us community members.

“Livestock, especial cattle is our pride and a sign of wealth, imagine having 2 or 3 cattle dying because of the damage caused by the Chinese. Therefore, we are happy they were stopped.”

In another incident within UMzingwane district in ward 13, one-day community members woke up to some Chinese company clearing land, which happened to be their grazing land. Realizing that their cattle will have to walk long distances for grazing, community members organized themselves and approached the local leadership to make the Chinese stop with their mining. The local leadership was successful as the Chinese were stopped.

“It is surprising how these Chinese can just get into our community and start mining without the knowledge of our traditional leaders who are the custodian of land. Who gives them the right to do so in our forefathers land? One good thing is

that our traditional leaders are clear, whatever bothers the community leaders stop it," said Zibusiso Nkala from ward 13 in Insiza.

These incidents have made UMzingwane community members call upon the government of Zimbabwe to work with traditional leaders to ensure that mining, firstly, does no damage, and, secondly, contributes more directly to social and economic development. Yvonne Moyo, a young woman artisanal miner said traditional leaders should be enabled to be granted power over the administration and control of communal land and natural resources and to administer justice.

"Corruption and conflicts are the order of the day in our district. The fact that Chinese companies can just come and start operating without the knowledge of our traditional and local leadership means there is a lot going on. These are corrupt tendencies that breed conflicts as well. Traditional leaders should be given the power and mandate of our land. I know these

roles are written down, it is high time they are enforced," Moyo said.

Whenever a Chinese Mining company sets up in a community, community members are not at ease. This is because of past events that have happened. Some environmentalists and human rights activists have highlighted that Chinese companies operating in Zimbabwe can only be described as catastrophic. The companies are said to be leaving trails of immense environmental degradation across the country. Villagers in affected areas allege that the companies discharge toxic waste into their water sources resulting in human disease, a drop in crop yields and death of livestock. Again, there have been reports in mainstream media, where Chinese have physically abused their workers.

"In honesty, we are not comfortable with the Chinese setting up here in our district, we have heard a lot of inhuman stories of what they do to people therefore we would not want it to happen in this district. Our government should really stop allocating these Chinese our land

because all they are doing is to destroy it and loot resources,” fumed Pink Ncube.

## WOMEN ARTISANAL MINERS ESTABLISH ASSOCIATIONS FOR A COLLECTIVE VOICE

The issue of women being more negatively impacted in the mining sector compared to their male counterparts is increasingly gaining prominence in discussions on development of the extractive sector in Zimbabwe.

It is often argued that whilst communities of people living in poverty do not benefit, women and children are particularly differently and more impacted by mining extractives.



They bear the greatest brunt of the negative social and environmental impacts induced by these extractive industries.

Rather than mining extractive industries uplifting many women from living in poverty, these industries have continued to subject them to socio-economic vulnerability and abject poverty.

It is the women who end up suffering the most from these challenges and no matter how much they have been raising the issues, they seem to be falling on deaf ears, hence women artisanal miners have formed associations in Gwanda, UMzingwane and Matobo so that they can collectively raise these issues.

The challenges women artisanal miners are facing include; lack of mining land, financial capital, extortion by claim owners, conflict and corruption.

“We all know that it is easy for a group of people to speak about challenges affecting them rather than to have an individual speaking, hence the formation of these women associations,” said

Siphiwe Ndlovu, Chairperson of the Thokozani Women in Mining from Matobo. “We would like to thank CYDT for availing such platforms where we actually formed the associations from. We do understand that our issues will not be dealt with there and there but we hope that as a group and as a collective, our voice is loud and we shall be heard.”

Blessed Nyathi, also a miner from Matobo said that she hopes the association that they have established as women miners will work on formalization of their operations before anything else as she has been a victim of being an informal miner.

“I am happy for this association because for me, I feel the first port of call would be for us women artisanal miners to formalize and legalize our operations. The mine I work in is not mine, I do not have a written down agreement to show that I have an understanding with the owner of the mine, which is quite dangerous. At one point, the owner of the mine once chased me away from the mining claim as he felt he

didn't need me anymore. That was a tough time for me. I realized I did not have a leg to stand on because I did not have a binding agreement with him. Even now that I begged and engaged him to take me back into his mine, I still do not have any documentation to that regards, therefore I hope this association will help so that we all have standard agreements to that regards. Most women artisanal miners are in the same predicament as myself,” Nyathi said.

Again, the existing country's policy and legislative frameworks do not provide adequate safeguards that protect the women working in the extractive industry. This weakness is apparent in the supreme law of the land and the legal frameworks that legislate the mining and extractive sector. Despite the fact that women artisanal miners contribute a great chunk in the country's GDP, laws and regulations do not favor the women artisanal miners.

“We have noted that there are a lot of grey areas when it comes to the country's policies and legislative framework for women artisanal

miners. It is our duty as women artisanal miners to lobby and advocate for inclusive laws and regulations so that as women we

are also recognized, said Reloe Ncube, Chairperson for the Visionary Women in Mining from Gwanda



PRODUCTION 2022

