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Study on the **Risk Factors Exposing Rural Communities to the Impacts of Resource Extraction in Shurugwi Mining Area**

APRIL 2024

Executive summary

Zimbabwe is rich in mineral deposits such as diamonds, platinum, gold, and nickel, which significantly contribute to national development. Despite the positive contribution of the extractive industry to national development, such activities sometimes come with negatives, such as environmental degradation, to the host communities. This qualitative study illuminates the multifaceted risks and challenges faced by Shurugwi rural communities in the context of resource extraction activities, particularly mining. Data were gathered through document review, focus group discussions with communities, Key Informant Interviews with state and non-state actors in the extractive industry around the Shurugwi area. Several key findings have emerged by exploring cultural, economic, social, and environmental dimensions.

The study's findings underscore the significant impacts of mining activities on rural communities, revealing a stark reality of environmental degradation, loss of cultural heritage, social disruption, and economic disparities. The lack of adequate accountability mechanisms from mining companies operating in and around these communities has led to unaddressed cases of human rights abuses, environmental degradation, and pollution. This situation has disrupted the communities' orderly living conditions and standards, leaving them in a difficult position to balance the benefits of mining activities with the harm they bring.

Secondly, the examination of international and national policies revealed gaps in implementation, enforcement, and accountability, hindering their effectiveness in safeguarding the rights and well-being of rural communities. Despite existing frameworks, challenges persist in ensuring meaningful community engagement, environmental protection, and equitable benefit-sharing in mining operations.

Furthermore, the study identified best practices and successful case studies from other regions, offering valuable lessons and insights for addressing mining-related challenges in Shurugwi. These include corporate social responsibility programs, participatory planning and decision-making processes, and effective legal and policy frameworks.

This study emphasises the importance of holistic and collaborative approaches to addressing resource extraction's complex socio-economic and environmental dynamics in rural areas. The findings and recommendations presented here are hoped to inform policy development, advocacy efforts, and on-the-ground interventions aimed at improving the lives and livelihoods of Shurugwi rural communities and promoting sustainable resource management practices in Zimbabwe.

Introduction and Background

Resource extraction activities in rural communities, particularly in areas such as the Shurugwi Mining area, play a pivotal role in shaping local economies and livelihoods. This study adopts a holistic approach to understanding the various risk factors to which rural communities are exposed due to extractive activities. Such an investigation is timely and essential, particularly considering Zimbabwe's commitment to achieving Vision 2030, which aims to elevate the country to an upper-middle-class economy. This vision is guided by the National Development Strategy 1 (NDS 1) (2020-2025), which outlines key pillars to drive Zimbabwe's progress towards Vision 2030.

Zimbabwe has abundant natural resources, including minerals, which hold immense potential to contribute significantly to the country's development. However, pursuing developmental projects such as extractives often disrupts the established order within communities and threatens human rights. This disruption is particularly pronounced in rural communities, where most mining activities occur nationwide. For instance, human displacement and conflicts are global risks associated with resource extraction, and Zimbabwe is no exception. Notably, Zimbabwe is rich in gold, diamond, platinum, and coal, among other mineral resources.

About 66% of the Zimbabwean population resides in rural communities. Most inhabitants of these rural communities do not have formal title to the land, rather they have the right to use, as such land belongs to the State. Consequently, there are concerns that people's rights are often violated to pave the way for resource extraction projects. Environmental degradation and pollution further compound communities' risks and hazards as resource extraction activities progress. Unfortunately, state and non-state stakeholders may overlook these risks, endangering the well-being of communities, including human and animal life.

In light of these challenges, it becomes imperative to implement measures that address the distortions brought about by resource extraction activities while ensuring a win-win situation for all stakeholders, particularly the affected communities. These measures must be inclusive enough to cater to the diverse needs of vulnerable members of the communities, including women, the disabled, the elderly, children, and marginalized groups. Hence, this study aims to elucidate the lived realities of rural communities, focusing on Shurugwi, concerning resource extraction activities. Additionally, the study seeks to identify gaps in existing legislative and policy frameworks, highlight challenges encountered by communities in socio-economic and cultural contexts, and provide practical recommendations to mitigate the effects of resource extraction activities.

The study drew upon literature on extractive activities across Zimbabwe to achieve the objectives, specifically in Shurugwi communities. Emphasizing inclusivity, the study addresses unique issues affecting various groups within the target communities, including women, the disabled, the elderly, children, vulnerable individuals, marginalized populations, and the business community.

This study filled the gap in the existing literature by focusing on the specific risk factors faced by rural communities in the Shurugwi Mining Area, thereby contributing to informed decision-making and sustainable development practices in Zimbabwe's extractive sector.

Objectives

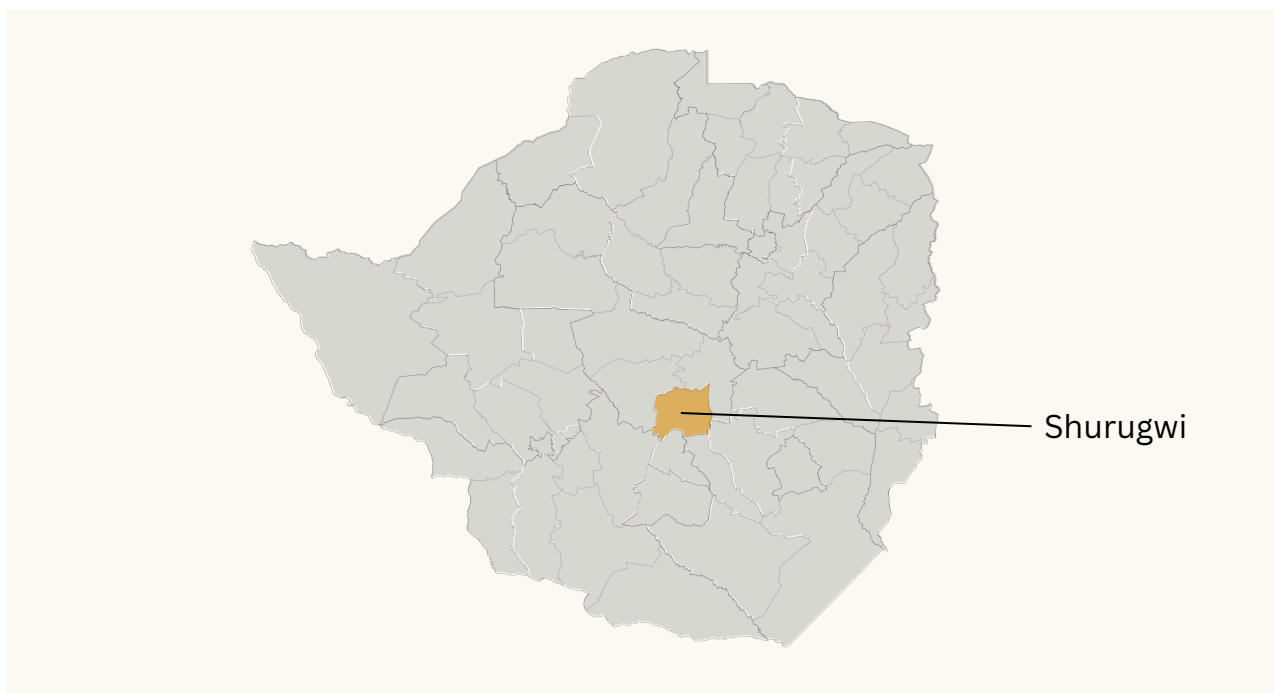
The study addresses the following specific objectives:

- To identify and analyse the social, economic, environmental, and cultural risk factors that rural communities face in relation to resource extraction activities.
- To assess the impacts of these risk factors on rural communities, including but not limited to displacement, loss of livelihoods, environmental degradation, health risks, and social disintegration.
- To examine the existing legal and policy frameworks regarding resource extraction and their effectiveness in safeguarding the rights and well-being of rural communities.
- To identify best practices and successful case studies from other regions or countries that have effectively addressed or mitigated the identified risk factors.
- To provide recommendations and propose strategies to enhance the empowerment and protection of rural communities in the context of resource extraction activities.

Study Area and Methodology

Shurugwi Community

Shurugwi is an administrative centre in the Midlands province of Zimbabwe. It is located about 350 km from Harare, the capital of Zimbabwe. According to the 2022 census, Shurugwi had a population of 22,900.¹ The small town of Shurugwi is largely surrounded by rural communities.



¹ <https://www.citypopulation.de/en/zimbabwe/cities/>

Most farmers in the province are peasant farmers growing maize crops. Shurugwi is located on a mineral-rich greenstone belt, popularly known to the locals as the Selukwe Schist Belt, making it one of the most mineral-rich communities in the country.² Shurugwi district is rich in gold, chrome, and platinum minerals and is regarded as one of Zimbabwe's largest producers of chrome and other metals. The main mining business actors include ZIMASCO and Unki Mines. Furthermore, one popular feature of Shurugwi is the Wolfshall Pass, which is commonly known as Boterekwa due to the winding of the road as it negotiates its way up and around mountains.- This place is considered a tourist attraction by the locals.

The communities in Shurugwi had experience with resource extraction well before the resettlement in 2000, which paved the way for the establishment of Unki Mines. They had experiences with Selukwe Goldfield, established in 1899; ZIMASCO, which was extracting chrome from Shurugwi and the surrounding areas like Lalapanzi in Chirumanzu district; and Kironde, Bougei mines.³

However, the study subjects are the resettled families settled as far back as 1982 in the resettlement areas where Unki was later allocated claims for its mining operations. These people have been affected positively and negatively by mining operations from mining concessions and artisanal miners (makorokoza).

Methodology

The study employed a pro-qualitative research approach. This involved reviewing the literature on laws and policies in place vis-à-vis the international guidelines and best practices on Business and Human Rights principles and the Extractive Industries Transparency Initiative (EITI) tenets.

The data collection process utilised focus group discussions (FGDs) with community members, Key Informant interviews (KIIs) with state and non-state stakeholders, and document review. The participants included different categories/diverse groups within communities, such as persons with disabilities (PWDs), women, the elderly, and youths. This was to identify each group's peculiar issues, which assisted in developing comprehensive and inclusive recommendations.

KIIs were used to gather qualitative data from key stakeholders such as the CNRG (Programmes) staff members, other NGOs operating on human rights in the extractive industry, Community (traditional) leaders, and community members with firsthand information and experiences related to resource extraction in the Shurugwi mining communities. While much of the data collection involved face-to-face interactions, the team heavily depended on technological methods, including online platforms like emails and phone calls. This approach reached respondents who were not conveniently available for physical engagements.

Several ethical considerations regarding data collection were mainstreamed into the conduct of this study, including informed consent, voluntary participation, anonymity, and the guarantee of confidentiality of provided information.

2. Stagman J G. (1978) An Outline of the Geology of Rhodesia. Rhodesia Geological Survey Bulletin No.80, p32.
3. Ibid

Findings

The section presents the study's findings regarding risk factors revealed by the Shurugwi communities. These span the social, economic, environmental, and cultural risk factors and impacts that rural communities face in relation to resource extraction activities.

Risk Factors Faced by Shurugwi Mining Area Communities

The section presents the social, economic, and environmental factors communities face in the Shurugwi Mining area.

Social Risk factors faced by Shurugwi mining area communities

Displacements and Resettlements

Mining operations in Shurugwi necessitated the relocation of communities, leading to displacement and disruption of social structures. This resulted in the loss of ancestral lands, homes, and access to traditional livelihoods, causing distress and social upheaval among affected residents. The Pasimupindu and Unki communities face imminent displacement as the well-established mining giant expands its exploration process. As it stands, communities are uncertain, with no one providing updates regarding the status of their threatened lands. This uncertainty is causing considerable distress among community members, making it challenging for them to invest in their land and plan for upcoming rainy seasons.

Labor Issues

Labor disputes, substandard working conditions, and unequal access to employment opportunities have been identified as risk factors in the Shurugwi mining areas. These labour-related issues often lead to strikes, protests, and strained stakeholder relationships. Most of the issues were raised by workers for Artisanal Small-Scale Miners who expressed poor working environment and erratic payment dates. Many such employees work without contracts or written agreements, which exposes them to manipulation.

Economic risk factors

Overreliance on mining related employment

Shurugwi community members exhibited overreliance on mining-related employment. The level of reliance can be considered a significant risk factor in the Shurugwi area. This risk arises from the heavy dependence of local communities on jobs and income derived directly or indirectly from mining activities. Several implications and consequences stem from this overreliance as most community members may fail to explore other equally good livelihood opportunities apart from the mining related ones. The overreliance has created uncertainties due to boom-and-bust cycles associated with fluctuating commodity prices. For instance, the interviews revealed that the platinum sector was going through a downturn that closed the employment gates and saw periodic laying off of employees.



Income inequality

Income inequality was presented as a significant risk factor in the Shurugwi mining area. This risk stems from the wealth distribution and income distribution disparities among different population segments within mining communities. Respondents expressed a clear picture of relative deprivation compared to fellow community members benefiting from resource extraction. An example that was used by one respondent and supported by many related to the employment of external people at the expense of the community members. The Shurugwi community members were mainly relegated to erratic contractual jobs, leaving the locals vulnerable to poverty and discontent.

Inflation and the rising cost of living

Inflation and the rising cost of living represent significant risk factors in the Shurugwi area, which profoundly impacts the community. The respondents indicated that the cost of living in Shurugwi was very high as the area is viewed as 'monied' and a cash cow by many goods and service providers. This strained household budgets, diminished purchasing power and contributed to economic instability.

Environmental Risks

Habitat Destruction

Mining operations in Shurugwi have been causing significant destruction to natural habitats, including forests, wetlands, and wildlife habitats. This biodiversity loss has disrupted ecosystems, resulting in plant and animal species depletion and undermining essential ecosystem services for local communities. Additionally, the encroachment of mining activities has led to wild animals sharing habitats with domestic animals, increasing the risk of disease transmission in livestock in the Shurugwi rural communities. Moreover, the extractive industry has exacerbated human-wildlife conflicts in the area.

Water and air pollution

Mining operations often generate wastewater and chemical runoff, contaminating local water sources such as rivers, streams, and groundwater. Dust and particulate matter generated from mining activities and emissions from machinery and vehicles also contribute to air pollution in the surrounding area. Different types of pollution were reported by participants and observed during the study. The pollution threatens aquatic life and risks human health, particularly for communities reliant on water sources for animals, personal domestic use, and irrigation.

Environmental degradation

Environmental degradation is a heart-wrenching impact of natural resource extraction that severely affects local communities. Reports were that the soils had become unstable and erosion had increased due to mining activities. These damages to the environment have extended to soil degradation, reduction of soil fertility, erosion, and more. Communities also lamented that their grazing lands were affected; some small-scale miners lived near open pits. It was reported that livestock and people were falling into these open pits. There were also concerns that during the rainy season, these open pits become breeding grounds for mosquitos and pose a malaria health risk to communities.

Natural resource extraction often disrupts the delicate balance of nature. Consequently, it can create a ripple effect of consequences such as increased risk of natural disasters like floods and landslides. When land is cleared for mining or logging, it can lead to soil erosion and destabilization. This can reduce the land's ability to absorb rainwater and increase the frequency and severity of floods and mudslides. The destruction of homes and infrastructure can take years to recover, leaving communities devastated for generations. This was a major concern raised by the communities in the low-lying areas of Shurugwi.



Cultural Risks

Loss of Cultural Heritage

Mining activities in Shurugwi degrade cultural heritage sites, including sacred sites, archaeological sites, and traditional lands. This loss of cultural identity and heritage erodes the community's cultural fabric, leading to loss and disconnection among communities. The Shurugwi mountains are home to several culturally significant sites, including the Bonza ruins, which community members have cherished for generations. However, these sites are now threatened by destruction due to increasingly aggressive and destructive mining activities and technologies.

Social Disruption

Shurugwi has witnessed changes in land use and traditional livelihoods due to mining activities, disrupting social structures and conventional ways of life within the community. This shift has resulted in the loss and dilution of cultural practices, knowledge, and social cohesion, along with tensions emerging between various social groups. Furthermore, mining activities have introduced social and cultural stratification, with benefits perceived to favour certain groups over others, causing resentment and disillusionment among community members. This has also been because of the influx of people from other cultural backgrounds who enter communities for mining-related activities such as formal jobs, artisanal mining and trading.

Resource extraction projects exploit cultural symbols, practices, and resources without proper consultation or consent from local communities. This has created strong feelings of exploitation and marginalization among community members, exacerbating existing social and cultural tensions.

The impacts of these risk factors on rural communities

Social impacts

The social risk factors identified in Shurugwi rural communities have profound impacts that reverberate across various aspects of community life. Disrupted social structures and loss of cultural identity due to changes in land use and traditional livelihoods have led to disorientation and instability among community members. Moreover, tensions between different social groups and the unequal distribution of benefits from mining activities have eroded social cohesion, fostering mistrust, conflicts, and divisions within the community. Economic marginalization resulting from social and cultural stratification exacerbates disparities, leading to financial hardship and reduced access to resources for marginalized groups. These social impacts have also taken a toll on the psychological well-being of community members, contributing to feelings of alienation, frustration, and psychological distress. Overall, the social impacts of mining activities have left rural communities in Shurugwi grappling with complex challenges that require holistic and inclusive approaches to address effectively.

Economic Impacts

The Shurugwi communities, notably Pasimupindu, find themselves excessively reliant on mining-related employment, rendering them highly susceptible to economic shocks and fluctuations in commodity prices. Any downturn in the mining sector, particularly amid current challenges facing platinum mining, results in widespread unemployment, loss of income, and economic instability within these communities. Consequently, this vulnerability exacerbates poverty levels and diminishes resilience to economic downturns. The findings from Focus Group Discussions (FGDs) underscore the detrimental effects of this overreliance, as individuals and families increasingly depend solely on mining for their livelihoods, neglecting other traditional economic activities like agriculture and small-scale entrepreneurship. This neglect leads to social tensions, conflicts, and divisions within the community. It manifests in marital strains, with reported marriages of convenience during periods of employment and divorces triggered by the cessation of employment contracts.

Contrary to expectations, the reality of mining activities has brought more harm than good to the communities. Many residents were promised employment, yet their opportunities have been limited to casual labor roles for a few days or months during construction, with minimal prospects for long-term employment once mining operations commence. Moreover, those fortunate enough to secure employment often find themselves on temporary contracts, adding stress and uncertainty to their livelihoods as they struggle to plan for the future. This disparity in employment opportunities, coupled with the influx of external workers, has further deepened feelings of marginalization and resentment within the local community.

Furthermore, income inequality in Shurugwi marginalizes vulnerable community groups, including women, youth, and indigenous populations, exacerbating their socio-economic disadvantages. These groups face significant barriers to accessing employment opportunities, education, healthcare, and essential services, hindering their economic mobility and social advancement.

The unfair distribution of income perpetuates cycles of poverty and marginalization, as individuals with lower incomes struggle to access resources for personal and professional development. Women highlighted the challenge of intergenerational poverty, with many unable to access education due to their parent's financial constraints and now facing difficulties in providing conducive environments for their children.

Moreover, the rising cost of living in Shurugwi diminishes the purchasing power of low- and middle-income earners, making it increasingly difficult to afford necessities such as food, housing, and healthcare. Individuals with fixed incomes or precarious employment find themselves grappling with heightened economic insecurity, further exacerbating poverty levels within the community.

However, the Dzikamidzi FGD acknowledged some employment opportunities, albeit limited, that were gender-sensitive, as both men and women were hired. However, the employment of women has had unintended consequences, particularly in terms of disrupting family dynamics and community structures. Cases have emerged where the employment of women has upset the traditional balance of power in patriarchal households and communities. During an FGD, one woman shared her perspective, highlighting the challenges associated with women entering the workforce:



...we have witnessed instances where employed women have forsaken their unemployed husbands and families in favour of mine managers and supervisors to ensure the renewal of their contracts. This is not to suggest that women should not be employed, but rather to highlight that without corruption and nepotism in the recruitment process, such occurrences would merely be rumours...

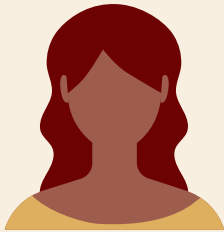
Other mining activities have significantly impacted communities' livelihoods, particularly through disruptions to their primary sources of income. One such example is the Shungudzevhu Irrigation scheme, where beneficiaries faced disturbances to their established irrigation systems. Traditionally, these communities relied on income from fish farming, ostrich farming, and diverse crop production to support various aspects of their lives, including sending their children to boarding schools.

However, the introduction of mining operations led to changes in the irrigation infrastructure. As part of its social responsibility efforts, the mine replaced the traditional canal system with modern overhead irrigation methods employing pivots and sprinklers. While this initiative aimed to enhance efficiency, the affected communities raised concerns regarding its impact on their livelihoods.

Environmental impacts

The environmental risk factors identified in Shurugwi rural communities significantly impact various aspects of community life. The destruction of natural habitats, including forests, wetlands, and wildlife habitats, due to mining activities, leads to the loss of biodiversity and disruption of ecosystems. This, in turn, undermines ecosystem services vital for local communities, such as clean water, air purification, and soil fertility. The encroachment of mining activities into wildlife habitats also results in the mixing and sharing habitats between wild and domestic animals, increasing the risk of disease transmission in the area.

Additionally, changes in land use and traditional livelihoods due to mining activities disrupt traditional land management practices and agricultural activities, leading to soil degradation, deforestation, and loss of arable land. This negatively impacts food security and agricultural productivity, further exacerbating poverty and economic insecurity within the community. Furthermore, the pollution of water sources and soil contamination from mining operations pose serious health risks to community members, leading to increased incidences of waterborne diseases, respiratory illnesses, and other health issues. Most water sources have been polluted by toxins such as mercury, which is used to process gold. Anecdotal evidence has it that community members hold a firm belief that the mining activities are contributing to illnesses and deaths within the community, albeit without clear links established between these health issues and the mining operations. One discussant submitted that:



In the past, we enjoyed a peaceful existence here, drinking water from the pristine Muterekwi River. However, now it has been tainted by the construction of the Seal Tap Dam....

The environmental impacts of mining activities in Shurugwi rural communities threaten the long-term sustainability of natural resources, undermine community resilience, and jeopardize the health and well-being of community members.

Residents of communities near Pasimupindu and Dzikamidzi have voiced concerns over the adverse effects of industrial activities on their health and environment. They lament the constant exposure to smoke from furnaces and inhalation of dust, heightening fears of contracting tuberculosis and other respiratory illnesses.

Addressing these environmental risks requires holistic approaches that prioritize ecological conservation, sustainable land management practices, and community-based initiatives to mitigate the adverse effects of mining activities on rural communities.

Cultural Impacts

The destruction of cultural sites and heritage due to mining activities leads to the erosion of cultural identity and heritage, causing a sense of loss and disconnection from ancestral traditions and practices. This loss of cultural heritage undermines community cohesion and collective identity, as traditional knowledge and values are threatened or lost. The cultural impacts of mining activities in Shurugwi rural communities jeopardize the preservation of cultural heritage, weaken community bonds, posing long-term challenges to community well-being.

For instance, resource extraction has profoundly disrupted the communities' way of life, resulting in the disturbance of their graves and the destruction of heritage sites where they would gather for rain-making ceremonies. One participant in the discussion remarked that:



.... our heritage site, once situated at the top of the mountain, was essential for conducting rain-making and other ceremonies crucial to our way of life. Sadly, the shrine has vanished, and the Bonza Ruins are on the brink of destruction....

Even members of the Apostolic faith expressed sorrow over the recent destruction of their shrines by the operations of Godard, contracted by Unki for various projects. This occurred in Chivande village, where residents were aggrieved by the lack of consultation regarding any expansions, as previously promised. Respondents mentioned that the company had given notice of its intention to undertake projects in the community and had pledged to engage in discussions with the villagers for proper consultation. However, residents of Chivore village were dismayed to find that the company had already begun clearing land for its staff quarters without fulfilling its promise to convene discussions. In their attempts to engage the village head, villagers were informed that the councillor, District Development Coordinator (DDC), and the Traditional Leadership were already aware of the development. When seeking redress from district authorities, they were met only by state security personnel, who responded:



...the State resettled you here, and it has the authority to relocate you without prior notice. All land belongs to the President, and he has the prerogative to act as he sees fit....

Respondents consistently voiced concern about intimidation. Participants asserted that some of the Traditional leaders and Councillors were co-opted by the mining company through token gestures, such as providing fuel coupons to Chiefs for attending meetings at the mine. When villagers requested meetings with mine representatives, the mine would selectively summon the councillor, chief, and a few villagers sympathetic to the mine's interests, excluding communities who are critical of it, thus ensuring predetermined outcomes. Communities alleged that if they raise objections, the mine authorities would promptly produce minutes from previous meetings with some local leaders, seemingly validating its decisions.

The Legal and Policy Framework

Below is an analysis of the legal and policy frameworks relevant to the extractive sector in Zimbabwe and how these may relate to the Shurugwi mining rural communities.

International and Regional Frameworks

Globally, there are generally accepted protocols, standards, guidelines, and agreements/treaties that speak to best practices in advancing environmental rights and striking a balance between business and human rights. These agreements also seek to address the impact of human activities vis-à-vis the protection of the environment. Listed below are some of the applicable international and regional mechanisms:

Guiding Principles on Business and Human Rights: Resolution 17/4 (2011)

The United Nations Guiding Principles on Business and Human Rights (UNGPs) is made up of 31 principles which seek to "*Protect, Respect and Remedy*" on the issues of human rights and transnational corporations and other business enterprises. These Guiding Principles provide the first global standard for preventing and addressing the risk of adverse impacts on human rights linked to business activity, and continue to provide the internationally accepted framework for enhancing standards and practice regarding business and human rights. The UN Guiding Principles on Business and Human Rights (UNGPs) – the most authoritative and widely adopted set of principles for responsible business. The principles call on both governments and companies to identify, prevent, mitigate, and remedy actual and potential human rights abuses. The UNGPs not only guide businesses to respect human rights in their operations, but they also guide businesses to contribute to the 2030 Agenda and the Sustainable Development Goals.⁵

The principles are anchored on three main pillars which elaborate on the States and businesses responsibilities as follows;

i

The State's duty to protect human rights

ii

The corporates' responsibility to respect human rights, and

iii

Access to remedy for victims of business-related abuses.

5. UNDP, Business and Human Rights. Accessed from <https://www.undp.org/rolhr/business-and-human-rights>

Therefore, the State and the private sector are responsible for acknowledging their role in upholding and protecting human rights. In their due diligence processes, companies are encouraged to conduct a Human Rights Impact Assessment, which assesses their actual and potential human rights impacts. In instances where national laws fall short of the standards of internationally recognized human rights, companies should seek ways to still honour the principles of those standards within the bounds of national law.⁶ In instances of human abuses, the state should have strong mechanisms for ensuring remedy to affected individuals and communities. For this, the principles received wide support from Governments, civil society organizations, and the private sector. This has further solidified their status as the key global foundation for business and human rights. If applied consistently, the principles may allow business activities to turn around people's lives, offering access to social and economic opportunities and a gateway to prosperity.

Sustainable Development Goals (SDGs) 2015-2030

The 17 Sustainable Development Goals (SDGs) were adopted by UN General Assembly in 2015 as part of the Sustainable Development Agenda 2030 meant to eradicate poverty, protect the planet, and ensure that by 2030 all people enjoy peace and prosperity, among other issues. The SDGs also recognise that development must balance social, economic, and environmental sustainability. The specific goals that relate to this study are SDG 1 (No poverty), SDG 11 (Inclusive, safe, resilient, and sustainable cities and human settlements) and SDG 16 (on the promotion of just, peaceful and inclusive societies). Target 16.10 of the SDGs requires States to ensure that the public has access to information and protect fundamental freedoms in accordance with national legislation and international agreements. Furthermore, Target 16.7 provides for responsive, inclusive, participatory, and representative decision-making at all levels. Therefore, this means that each time natural resources extraction takes place, deliberate efforts should be made to guarantee the safety and sustainability of communities.

As mentioned earlier, mining is a rich resource with great potential to change people's lives and status in line with SDG 1 of eradicating poverty. However, there is also a need to uphold other key principles such as participation and consultation/involvement of communities when such developments are taking place in line with Target 16.7, and in turn eliminating/reducing conflicts. It also follows that laws and policies must be implemented to ensure the smooth running of resource extraction processes in communities and protect the host communities against the adverse effects of such initiatives.

The United Nations Framework Convention on Climate Change (UNFCCC) (1992) and the Kyoto Protocol

Zimbabwe ratified the United Nations Framework Convention on Climate Change (UNFCCC) in 1992 and has been a party to the Kyoto Protocol since 2009.⁷ The UNFCCC guides responsible and fair international action on climate change. The convention acknowledges that human beings are the cause and main victims and is equally the solution to the challenges brought about by climate change.⁸

6. Ibid

7. UNFCCC, Remarks by Minister of Water and Climate, Honourable Oppah, C.Z. Muchinguri-Kashiri (Mp) at COP 23 Bonn, Germany, Accessed from https://unfccc.int/files/meetings/bonn_nov_2017/statements/application/pdf/zimbabwe_cop23cmp13cma1-2_hls.pdf

8. Ibid.



The Kyoto Protocol operationalises the UNFCCC and calls for industrialised nations to significantly reduce their greenhouse gas emissions. Thus, governments and private sectors are encouraged to reduce and/or eradicate pollution from the atmosphere and to develop cleaner infrastructure and systems towards a cleaner environment. The mining activities, by their nature, cause damage to the environment through air and water pollution as well as general degradation of the environment, upon which communities depend for their survival. This study established that the great pollution of the environment by both artisanal and corporate miners directly and indirectly affects the way of living in the Shurugwi community. It has become evident that these environmental disturbances have become a major source of conflict among the communities and the different mining players.

National Legal Framework

The Constitution of Zimbabwe Amendment (No.20) Act 2013

The Constitution is the supreme law of Zimbabwe and provides that any other provisions contrary to it will be regarded unlawful. The Zimbabwean Constitution is quite progressive in advancing the protection and promotion of people's rights and development. Chapter 2 provides for the National Objectives, which are aimed at guiding the State and all its agencies across all levels on the formulation and implementation of laws which result in an unsustainable, just, free and democratic society in which people enjoy prosperous, happy and fulfilling lives.

Section 13(4) of the Constitution recognises that local communities need to benefit from the resources available in their communities. As such, it is common cause that the obvious expectation of the Shurugwi communities would be to become the primary beneficiaries of the minerals being extracted from their communities. The engagements carried out by CNRG noted that communities were participating in open cast mining (at household levels) and that this was an important income stream for most families.

Section 73 of the Constitution of Zimbabwe provides for environmental rights. The provision guarantees every person the right to an environment that is not harmful to their health or well-being, to have the environment protected against pollution and to secure ecologically sustainable development and use of natural resources while promoting economic and social development. The Constitution thus seeks to protect communities from human rights violations due to natural resource extraction.

Section 74 of the Constitution protects citizens against being evicted or having their homes and belongings demolished without a court order. Section 71 (3)(a) of the Constitution also provides for property rights, stating that people should not have been evicted compulsorily and unfairly.

The Constitution provides that separate pieces of legislation need to be put in place to execute and elaborate the principles laid out in the Constitution for implementation by the different State entities. Listed below are the various pieces of legislation that apply to the study.

Mines and Minerals Act [Chapter 21:05]

The Mines and Minerals Act provides different procedures for certain types of minerals. The mining of coal, mineral oils, natural gas, and nuclear energy source minerals has rules that are different from those of other minerals in terms of the acquisition of rights. In extracting such minerals, the Act requires that the President issue a special grant for exploration and mining.⁹ The Act also guides the control of all mining operations in Zimbabwe. The Act was amended to cover issues such as the establishment of the Mining Affairs Board, the definition of various rights and duties of persons involved in mining operations or circumstances relating to such operations, as well as the payment of fees, royalties and other charges, and the inspection and safety of all mining operations. The Act further outlines the actors participating in mining activities, including the prospectors, claim holders, landowners, lease holders, and concession holders. Again, the Act seeks to address the conditions and procedures for prospecting, pegging, registering, transferring, abandoning, and forfeiting mining locations, as well as the compensation and surface rights of landowners.

9. Mining Laws and Regulations Report 2024 Zimbabwe (cdg.com)

The Act addresses several potential conflicts that usually happen during mining activities. For example, Sections 36 to 38 address the issues of prospecting on forest land and the rights entitled to the owner to reserve timber for cutting in a given percentage. Section 178 defines the surface rights of miners. Sections 191 to Section 192 concern an agreement on the use of private water between a miner and an owner of the land. The Act guides that these agreements must be registered with the Mining Commissioner. Furthermore, section 159 of the Act provided that applicants for special mining leases shall submit environmental impact assessments with their applications.¹⁰

The Act also provides that anyone can own reconnaissance, exploration and mining rights. In terms of the Act, a "Person" is defined as any company incorporated or registered as such under an enactment; any of persons, corporate or unincorporated; or any local or other similar authority. However, a prospecting licence can also be issued to a natural person.¹¹

Environmental Management Act [Chapter 20:27]

The Act stipulates that all mining activities need to be carried out in a manner that sustainably protects the environment. The Act also guides the need for resource extraction activities to be carried out after an environmental impact assessment and certification have been issued by the Environmental Management Agency.¹² The environmental impact assessment certification is important because it looks into waste disposal, effluent discharge, and emissions. These are some of the most common issues that result in conflicts, especially amongst the mining corporations and the communities. In some instances, these issues can be the push factors for displacements amongst affected communities.

Communal Lands Act [Chapter 20:04]

The Communal Lands Act administers and regulates the occupation and use of Communal Land and affects how mining rights are acquired. It also classifies land in Zimbabwe as communal land. Section 4 of the Act provides that communal land belongs to the State and that only the President can determine the use of such land. It is worth noting that the Act has provisions that allow for a directive to be proclaimed and gazetted at any given time then to redefine the use of communal land for different purposes, and mining activities can be one of them. Occupation of rural land remains one of the most key issues that influence social, economic and political processes in Zimbabwe.¹³ Zimbabweans consider rural communal land collectively owned by a clan/community of ancestrally related people and should always be 'sacred'.¹⁴ This law is also not comprehensive enough to address protection issues relevant to host communities if development projects such as mining occur.

As indicated above, in terms of Section 61 of the Act, the President can declare that any piece of land may cease to become a part of a communal land- in consultation with the local authority. Again, the Act is unclear whether the affected community members can be consulted. This becomes an issue of concern, considering that the communal land's primary occupants are often surprised when demolitions and/or evictions take place to pave the way for developmental projects such as mining.

10. Parliament of Zimbabwe. Accessed from <http://www.parlzim.gov/%20www.veritaszim.net/>

11. Ibid

12. Mining Laws and Regulations Report 2024 Zimbabwe. Accessed from <https://iclg.com/practice-areas/mining-laws-and-regulations/zimbabwe>

13. Beacon Mbiba: Communal Land Rights in Zimbabwe as State Sanction and Social Control: A Narrative, Africa: Journal of the International African Institute: Vol. 71, No. 3 (2001), pp. 426-448. <https://www.jstor.org/stable/1161545>

14. <https://iclg.com/practice-areas/mining-laws-and-regulations/zimbabwe>

In such instances where a proclamation that communal land has been repossessed, Section 12 of the Act states that people who would have lost their rights to occupy the concerned state land, shall be given alternative land, if that is reasonable and practicable. If no alternative land is available, the other option would be to claim compensation under the Land Acquisition Act. However, if reference can be made to the Tokwe-Mukosi/Chingwizi displacement issue following a developmental project, it can be noted that the compensation issue took too long to be concluded and this disadvantaged the affected persons immensely.

Overview of the effectiveness of the cited policies in safeguarding the rights and well-being of rural communities

The effectiveness of the existing international and national policies in safeguarding the rights and well-being of rural communities in Shurugwi from the impacts of mining varies based on several factors, including implementation, enforcement, and the extent of community participation. This section provides an overview of how the existing policies, guidelines and frameworks contribute to protecting the rights and well-being of rural communities.

At the international level, the Guiding Principles on Business and Human Rights: Resolution 17/4 (2011) serves as a vital framework for ensuring that businesses, including mining companies, uphold human rights, particularly those of communities impacted by their operations. By emphasizing the responsibility of governments to protect human rights and advocating for access to remedy for victims of rights violations, these principles aim to hold all stakeholders accountable for their actions.

However, the effectiveness of these principles in Shurugwi is contingent upon the government's and businesses' willingness to adhere to them and engage meaningfully with affected communities. Despite these guiding principles, respondents in the Shurugwi mining community highlight a notable absence of accountability from mining companies, particularly concerning issues such as displacements and compensation. Furthermore, the government's role in holding these companies accountable appears lacking, leading to a gap between the legal provisions on paper and their enforcement in practice. This lack of clear communication and robust enforcement is particularly evident in areas like Pasimupindu and Dzikamidzi, where local communities face threats of displacement and live with uncertainty due to limited participation in decision-making processes.

Nationally, the Constitution of Zimbabwe encompasses provisions aimed at environmental protection and land rights and ensuring community involvement in decision-making processes that affect them. Serving as a legal framework, it is designed to safeguard the rights of rural communities in Shurugwi. However, its effectiveness is hindered by challenges in implementation, enforcement, and conflicts with other legislation. For instance, the Mines and Minerals Act [Chapter 21:05] sometimes grants precedence to mining activities in rural Shurugwi, undermining constitutional protections. Despite its potential to address the concerns of affected rural communities, weak enforcement and inadequate provisions for community engagement and benefit-sharing diminish its impact.

Similarly, the Environmental Management Act holds promise in safeguarding the environment and well-being of rural Shurugwi communities by mandating environmental impact assessments and enforcing standards. Yet, its effectiveness is undermined by shortcomings in implementing management plans and insufficient oversight mechanisms. Numerous areas in rural Shurugwi, especially the communities neighbouring Unki Mines and Boterekwa mountains bear evident environmental degradation stemming from open-cast mining activities. Despite assurances outlined in Environmental Impact Assessment (EIA) reports in line with the EMA, there's a noticeable absence of rehabilitation efforts to mitigate these damages.

15

Furthermore, the Communal Lands Act is envisioned to protect land rights and community well-being, potentially averting uncertainties in land tenure and displacements. However, land tenure disputes, inadequate infrastructure, and limited access to resources and services persist within the Shurugwi rural community.

While these policies and legal frameworks offer vital mechanisms for protecting the rights and well-being of rural communities in Shurugwi, their practical effectiveness is influenced by implementation, enforcement, and community participation. Ensuring their effective implementation and enforcement is crucial to addressing the specific needs and concerns arising from mining activities affecting Shurugwi rural communities.

Best practices on mitigating the identified risk factors.

This section examines exemplary practices and successful case studies from various regions and countries that have effectively managed or alleviated the adverse impacts of natural resource exploitation. While some of these practices may not be directly tied to mining activities, they serve as exemplary models for conservation that can be adapted to mitigate the impacts associated with mining. Drawing from diverse contexts, this study highlights the success of the Corporate Social Responsibility (CSR) program in Papua New Guinea, the Participatory Planning and Decision-making approach implemented at the Geita Gold Mine in Tanzania, and the Australian Native Title Approach supported by legislative frameworks such as the Native Title Act and the Environmental Protection and Biodiversity Conservation Act. By examining these case studies and best practices, valuable insights are gleaned into effective strategies for addressing mining-related risks and minimizing adverse impacts on rural communities in Shurugwi.

The Corporate Social Responsibility (CSR) initiative in Papua New Guinea

The Corporate Social Responsibility (CSR) initiative implemented at the Ok Tedi Mine in Papua New Guinea serves as a notable case study in Africa. The program adopted a comprehensive approach, targeting various aspects of community development, including health, education, environmental conservation, and infrastructure improvement.¹⁵ Through these initiatives, the Ok Tedi Mine aimed to address the socio-economic needs of local communities and mitigate the negative impacts of mining activities

15. Purnuye, Glen. (2022). Improving the governance of Papua New Guinea's State-Owned Enterprise in the Mining and Petroleum Sector. *Enterprise Governance eJournal*. 1. 10.53300/001c.36906.



One of the key successes of the CSR program at the Ok Tedi Mine was its contribution to poverty alleviation in the surrounding communities. By investing in education and skills development programs, the initiative empowered community members to access better employment opportunities and improve their livelihoods. Additionally, providing healthcare services and infrastructure improvements enhanced residents' overall well-being and quality of life.

Furthermore, the CSR program at the Ok Tedi Mine prioritized environmental conservation efforts, aimed to mitigate the environmental impact of mining activities on the surrounding ecosystem. The mine demonstrated its commitment to sustainable environmental practices through reforestation projects and waste management programs.

The success of the CSR program at the Ok Tedi Mine can be attributed to its holistic approach, which addressed the diverse needs of local communities. By simultaneously focusing on community development, health, education, and environmental conservation, the initiative had a more significant and lasting impact on the well-being of the affected communities.

Given its success in Papua New Guinea, the CSR model implemented at the Ok Tedi Mine could be recommended for the Shurugwi mining area in Zimbabwe. Like Papua New Guinea, Shurugwi faces similar socio-economic and environmental challenges associated with mining activities. By adopting a comprehensive CSR approach similar to that of the Ok Tedi Mine, mining companies operating in Shurugwi can effectively involve and address the needs of local communities, promote sustainable development, and mitigate the negative impacts of mining on the environment and society.

The Participatory Planning and Decision-Making (PPDM) approach in Tanzania

The Participatory Planning and Decision-making (PPDM) approach implemented at the Geita Gold Mine in Tanzania involved engaging various stakeholders, including local communities, government agencies, civil society organizations, and the mining company, in the planning and decision-making processes related to mine development and environmental management.

One example of PPDM in Geita is the establishment of community forums or consultative committees where true representatives from different stakeholder groups meet regularly to discuss issues related to mining activities. These forums provide a platform for dialogue, information sharing, and decision-making, allowing community members to voice their concerns, express their preferences, and participate in decision-making.

Additionally, the Geita Gold Mine has implemented various community development projects in consultation with local communities through a participatory approach. These projects are designed to address the socio-economic needs of the communities, such as infrastructure development, education, healthcare, and income-generating activities. By involving community members in the planning and implementing these projects, the mine ensures that they are aligned with the priorities and aspirations of the local communities.

Furthermore, the Geita Gold Mine has collaborated with government agencies, non-governmental organizations, and other stakeholders to address environmental and social issues associated with mining activities.¹⁶ Through joint initiatives and resource sharing, the mine works towards mitigating environmental impacts, promoting sustainable land use practices, and enhancing the overall well-being of the surrounding communities.

The Geita Gold Mine's PPDM approach has been successful in promoting transparency, accountability, and community empowerment. The mine has built trust, fostered cooperation, and strengthened relationships with stakeholders by involving local communities in decision-making processes. This has led to more socially responsible mining practices, improved environmental management, and enhanced regional socio-economic development.

Overall, the PPDM approach implemented at the Geita Gold Mine in Tanzania demonstrates the effectiveness of collaborative and participatory approaches in addressing the complex challenges associated with mining activities. It is a valuable example of how engaging stakeholders in decision-making can lead to more sustainable and equitable outcomes for the mining company and the local communities. The same approach can be adopted for the Shurugwi communities.

Australia's legal and policy frameworks

Australia's legal and policy frameworks, exemplified by the Native Title Act and the Environmental Protection and Biodiversity Conservation Act, have effectively protected indigenous land rights, regulated environmental practices, and engaged communities in the mining sector. These frameworks offer valuable lessons that can be applied in the Shurugwi rural community.

Firstly, the Native Title Act in Australia provides a legal mechanism for recognizing and protecting indigenous land rights, ensuring that indigenous communities have a voice in decisions affecting their land. Similarly, in Shurugwi, mechanisms for recognizing and protecting the land rights of local communities could be established to ensure their participation in decision-making processes related to mining activities.

Secondly, Australia's Environmental Protection and Biodiversity Conservation Act mandates environmental regulation in the mining sector, requiring companies to adhere to strict environmental standards and undergo comprehensive environmental impact assessments. Implementing similar legislation in Shurugwi would help mitigate the adverse environmental impacts of mining activities and safeguard the health and well-being of local communities.

Australia's legal and policy frameworks also emphasize community engagement in the mining sector, fostering collaboration between mining companies, government agencies, and local communities.¹⁷ This approach promotes transparency, accountability, and mutual respect, leading to more sustainable mining practices and positive socio-economic outcomes for rural communities. Similarly, promoting community engagement in Shurugwi would ensure that residents' concerns and interests are adequately addressed in the planning and implementation of mining projects.

16. Lange, Siri. (2006). Benefit Streams from Mining in Tanzania: Case Studies from Geita and Mererani.

17. Australian Government, Department of the Environment and Energy. (n.d.). Native Title Act 1993. Retrieved from <https://www.environment.gov.au/epbc/legislation/native-title-act-1993>



Australia's legal and policy frameworks provide valuable lessons for the Shurugwi rural community regarding indigenous land rights protection, environmental regulation, and community engagement in the mining sector. By adopting similar approaches, Shurugwi can mitigate the adverse impacts of mining activities on rural communities and the environment, promoting sustainable development and inclusive growth.

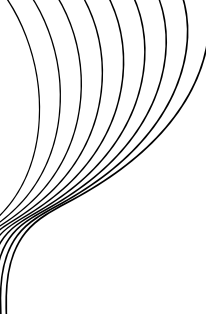
In summary, while the case studies share common themes related to mining impacts, community engagement, and environmental conservation, each has unique aspects that offer valuable lessons and insights for addressing the specific challenges the Shurugwi mining area faces. These case studies collectively provide a comprehensive framework for promoting sustainable mining practices, protecting the rights of local communities, and fostering inclusive development in the Shurugwi rural community.



Recommendations and strategies to enhance the empowerment and protection of rural communities.

Based on the identified risks, impacts, existing policies, and best practices, several recommendations are available to ensure sustainable mineral extraction in Shurugwi mining areas.

- The legal framework and existing mining companies should promote the establishment of community liaison committees or forums to facilitate ongoing dialogue, information sharing, and conflict resolution between mining companies, government agencies, and local communities. The committees will establish robust mechanisms for meaningful and inclusive engagement with local communities throughout the mining life cycle, including consultation, participation in decision-making processes, and benefit-sharing agreements.
- The Environmental Management Agency (EMA) must strengthen environmental regulations and enforcement mechanisms to ensure compliance with environmental standards and mitigate the adverse impacts of mining activities on ecosystems, water resources, and biodiversity. In addition, EMA should implement comprehensive environmental impact assessments (EIAs) before mining operations, incorporate local knowledge and community concerns, and develop effective mitigation and monitoring plans to minimize environmental degradation.
- With robust and updated legislation and government support, local traditional leaders must recognize and respect local communities' cultural heritage and traditional land rights, including indigenous populations, and integrate cultural considerations into mining planning and operations. Measures must be implemented to protect the remaining cultural sites, artefacts, and sacred lands from destruction or disturbance due to mining activities, and community-led initiatives for cultural preservation and heritage conservation must be supported.
- Overreliance on mining was cited as one of the main socio-economic impacts in the Shurugwi mining area. Therefore, there is a need to promote inclusive and sustainable economic development by diversifying local economies beyond mining, supporting small-scale enterprises, agriculture, and tourism, and providing skills training and employment opportunities for residents. This could be attained by facilitating the establishment of community development funds or trusts, financed by mining revenues, to invest in social infrastructure, education, healthcare, and other essential services and income-generating endeavours for the long-term benefit of local communities.

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- Review and strengthen existing national and international policies related to mining governance, land tenure, environmental protection, and community rights, ensuring alignment with the business and human rights mantra and other international human rights standards and principles of sustainable development.
 - Enhance transparency, accountability, and oversight mechanisms in the mining sector, including regular monitoring and evaluation of mining operations, public reporting of environmental and social performance, and enforcement of legal and regulatory compliance.
 - Invest in capacity-building initiatives for local communities, government officials, and mining industry stakeholders to enhance their understanding of mining-related risks, rights, and responsibilities and empower them to actively participate in decision-making processes.
 - Foster knowledge sharing and exchange of best practices among mining companies, government agencies, civil society organizations, and academia to promote continuous learning, innovation, and improvement in mining practices and policies.

Conclusion

In conclusion, Zimbabwe's abundant mineral deposits, including diamonds, platinum, gold, and nickel, are vital in creating employment opportunities and sustaining livelihoods, particularly within communities like Shurugwi. However, while mining is essential for national development, it can pose significant challenges to host communities without proper diligence. This study has shed light on the dual nature of mining activities in Shurugwi, where while they serve as a primary income source, they also bring about concerns for rural communities. The visible environmental degradation surrounding Shurugwi is alarming, with many mining activities leaving behind unrehabilitated open pits. Despite hosting major mining companies, local communities often do not reap commensurate benefits from resource extraction, leading to grievances over lost grazing and agricultural land. Moreover, the lack of adequate accountability mechanisms perpetuates issues such as human rights abuses and pollution, further compromising the well-being of these communities. In light of these findings, addressing the challenges Shurugwi's rural communities face in resource extraction activities is imperative. Sustainable development, protection of human rights, and preservation of cultural and environmental integrity hinge upon mitigating the adverse impacts of mining. By implementing the recommendations outlined in this study, stakeholders can work towards ensuring that mineral extraction processes in Shurugwi prioritize the rights and interests of local communities, foster environmental stewardship, and contribute to inclusive and equitable development.

