



POLICY BRIEF

More Decent Resettlements: The Lessons From Tete

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This policy brief, specifically focusing on community resettlements as a result of mineral exploration in Mozambique, is part of a set of five briefs produced under the findings of a research on the root causes of natural resource conflicts in the provinces of Inhambane Sofala, Tete, Niassa, and Cabo Delgado.¹

In Mozambique, most of the resettlements of communities as a result of mineral exploration have been undertaken under precarious conditions. The unjust compensation granted during the past decade in Tete (Lillywhite et al., 2015) has no basis in Mozambican legislation. In fact, the Land Law (19/97) and the Law on Forestry and Wildlife (10/99) recognise the right of Mozambican citizens to use the land through Land Title Deeds whether for cultivation or to explore forestry and wildlife resources, and/or for other sustainable activities that guarantee their livelihood. Land is owned by the State, although the law guarantees that communities have the right to participate in the management of the natural resources of their area and to obtain benefits from them (De Wit & Norfolk, 2010). However, the Law on Mines (20/2014) allows for the limitation of these rights in the areas granted for mining operations. According to the law, a mining license cannot be issued without consulting the communities, which should lead to the signing of a memorandum of understanding between the government, the company, and the community. The law guarantees fair compensation, and allows resettlement only as a last resort, which must be negotiated with the community. The resettlement must always guarantee improved housing conditions for the resettled people. Although the houses being built in some of the resettlements are better than the previous ones (OAM, 2016), in other aspects such as construction of infrastructure, basic services, and re-establishment of livelihood patterns, the benefit for the communities has been questionable.

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Based on the experience of some resettlements in Tete province, this policy brief intends to reflect on the situation of the Muichi community in Nipepe district in Niassa province, which awaits the first resettlement planned for this province as a result of the mining of graphite. The experience of Tete can also be studied with the purpose of promoting more peaceful and legal resettlement in other places, such as in Inhambane, Gaza and Cabo Delgado, where there are large mining concessions with resettlement plans. The analysis is based on interviews carried out between May to August 2021 in the districts of Moatize and Marara (Tete province) and the Nipepe district (Niassa province) as well as in the provincial capitals of Tete and Lichinga, respectively, as well as additional written sources.

Starting with large-scale investments and resettlements in the Moatize district in 2009, coal mining in Tete province has already caused the resettlement of tens of thousands of residents. Many communities who were resettled in Tete confirmed to the research team that their resettlement was compulsory and without any genuine community consultation (Lillywhite et al., 2015). In a country where wars and natural disasters over the past five decades have forced various communities to abandon their homes, resettlement linked to the exploration of natural resources intersects with these intergenerational experiences of displacement and loss. This is the case of the communities resettled in Marara district in Tete, who had already been obliged to take refuge in other places during the civil war that ended in 1992. Because of their experience during the civil war, they protest that once again they are required to start their lives from scratch due to the resettlements caused by coal mining.

The resettled people interviewed in Marara and Moatize highlight that the land in the resettlement areas is unfit for agriculture, compensation sums are insufficient, there are few economic opportunities, and the standard of living is poor in comparison to what they have been used to. In this respect, complaints of these communities haven't changed much to those reported years earlier (Lillywhite et al., 2015; OAM, 2016). These communities used to practice farming, artisanal mining, produce charcoal and firewood, fishing, and pottery; and the resettlement unfairly disrupted their livelihoods as many of these activities ceased to be viable in

the resettlement areas. Additionally, mining in these areas has generated social, economic, and political conflicts between communities which in turn interferes with their livelihoods.

To facilitate community participation in the areas affected by mining, various Natural Resources Management Committees (CGRN) were set up, formed both by the resettled communities and by those living in the vicinity of the mines. These committees arose out of the need to represent and defend the interests of affected communities on their own initiative, and sometimes encouraged by Civil Society Organisations (CSOs). For years, the members of these committees developed greater knowledge about the laws on mining and resettlement and about the rights of the affected communities. Despite being legally recognized in some laws and regulations (the Forest and Wildlife Law, Law on Mines just to name a few), the registration of these committees by the state has been challenging and slow, which is making their operations particularly difficult since, for example, they need their registration to open a bank account in order to get the community's share of tax revenues.

This policy brief will analyse in more detail a community in the Mualadzi neighbourhood, resettled from the town of Moatize by the company Rio Tinto. In this community, the Mualadzi Natural Resources Management Committee was set up. This is a particularly active and influential local advocacy organisation, although it has not yet been registered.

MUALADZI: THE RESETTLED COMMUNITY LED BY WOMEN

Mualadzi is a remote neighbourhood in Moatize district, with about 3,000 inhabitants resettled from the more central Capanga neighbourhood in the same district, by the company which today goes by the name International Coal Ventures Limited (ICVL). The resettlement was undertaken gradually between 2010 and 2014 by the Rio Tinto firm. The community complains that it was resettled against its will and without any genuine community consultation. Before the resettlement, the company and the government met only with a group of a few community leaders without informing the wider community. Mualadzi is about 50 kilometres from the town and lacks proper roads and public transport. Other challenges include the constant water supply problems, unfavourable

conditions for small businesses and for agriculture, and lack of jobs. The intransigence of the authorities and of Rio Tinto led the people to protest which in turn led to the arrest of several inhabitants of Capanga, particularly men.

One of the specificities of Mualadzi is that due to the migration of men for employment, the majority of the inhabitants are women, and several organisations representing the community are led by women. A good example is the Mualadzi CGRN which has about 150 members, 75% of whom are women including the committee chairperson. In this community, women are not only at the head of the committee, but also lead the advocacy action with the local government and the mining company. Even during demonstrations, women are often in the forefront to avoid violent reactions from the police and to avoid the risk of local men being incarcerated. For cultural reasons, the police are more reluctant to adopt repressive measures against women.

The committee has managed to reach a level of peaceful dialogue with the local government and with the mining company, and it has succeeded in improving the quality of the houses provided by the company. Additionally, with the support of the former provincial governor's wife, the committee has convinced the district government to build a secondary school with two classrooms up to tenth grade. Currently the committee is focused on a campaign for water supply in the community. Mualadzi constantly faces problems of water shortages, contradicting the promises made by the company and the government to guarantee water supply. As a result of one of the most striking demonstrations of the community with direct action by the women in 2014, the water supply was improved by the government. But this solution was later found to be temporary. Currently neither the government nor the company is taking effective responsibility for maintaining the water system. The shortage of water, and the distance between the houses and the areas for farming and for collecting firewood, are resettlement problems that particularly affect women.

In the legislation on mining, one of the supposed ways whereby the resources can benefit the communities is by channeling part of the income from the licenses to operate

these resources. For the sector of mineral resources, the Budget Law No. 1/2013 laid down that 2.75% of the generated tax revenue should benefit the communities in investments such as bridges and roads, health posts and centres, classrooms, agriculture, forestry, markets, and water supply and sanitation systems.

In early 2021, the Mualadzi community was waiting for public investment of about three million metical (USD 47.468,35) for infrastructure as part of the 2.75% of the taxes from ICVL. The community, which believes it has the right to a paved road based on the commitment made by the government and the company more than a decade earlier, felt that it would have benefited more if these funds were channeled to rehabilitating the water system. However, the district government justified its preference for improving the road based on the relatively small amount of money available. In January 2022, the road was slightly improved but there was still no public transport or a paved road.

The four main lessons to be drawn from the Mualadzi community point to the importance of:

- 1. Greater consideration for the challenges faced by women**, as a result of their active participation in the community organisations.
- 2. Building the capacity of the communities** in legislation and social activism by the CSOs.
- 3. Prioritising letters of complaint and dialogue** rather than organising large demonstrations. This implies changing the style of demonstrations, with greater focus on a clear and creative articulation of complaints.
- 4. Non-transparent conditions for resettlements lead to distrust and violent riots** with no benefits for both the companies and communities.

Although relations with ICVL and the government are still not excellent, the community has managed to make small advances towards meeting their requirements. A reflection on the shortcomings could also help the more recently affected communities within Tete and other provinces.

MUICHI: THE COMMUNITY STOPPED IN TIME

Graphite is an essential material in the manufacture of batteries for electric cars, and it will be in great demand in the coming years in the attempt to move away from fossil fuels to more sustainable sources of energy. As an indication of the great expectations in this area, the American automobile company Tesla signed a contract with Syrah Resources, in December 2021 to buy most of the graphite mined at Balama in the four subsequent years (Teslarati, 2021).

In Mozambique, there is an advanced graphite project in neighbouring Nipepe district in Niassa province, implemented by the Chinese mining company DH Mining. Without knowing it, the Muichi community in Nipepe has been living on top of a reserve of over five million tonnes of graphite. DH Mining arrived in Muichi in 2017 without informing either the community or the Provincial Directorate of Mines. As a result of a joint effort between the Rural Organisation of Mutual Help (Organização Rural de Ajuda Mútua-ORAM) and the government, it was found that the company had begun to build premises without an environmental licence, and without any community consultations (António, 2021). This led the government to suspend the company's activities in 2019. According to the same source, the company has also been fined for violations of labour rights at least twice. Currently it is building a factory in an area customarily used by the community for farming. The people who were farming there were given small compensation sums varying between 8,000 and 30,000 meticais (110-430 euros) so that they could begin cultivating somewhere else.

With an area of about 300 square kilometres granted in this district (The Ministry of Mineral Resources of Mozambique, 2021), DH Mining promised to build a school, a church, a hospital, and houses for about 172 households of the Muichi community, although the total number of affected people is more than 5,000. It is likely that the start of operations scheduled for 2022 will take place before resettlement in the same way as in the district of Marara in Tete, where the delay and the unclear conditions of resettlement caused rioting with significant losses both for the mining company and the community. Currently, the situation in the Muichi community is in a state of deadlock. For instance, the roof of the primary school which the community built with the 20% of tax

revenues it received from timber operations is made from non-durable materials, because the community did not want to invest in a school which will soon not be in use. In addition to schools, the community will have to leave behind farms, houses, graves and its fruit trees. Until now, the company has not been willing to discuss final sums of compensation.

According to some assessments conducted by NGOs in Niassa, the District Economic Activities Services (Serviços Distritais de Actividades Económicas-SDAE) generally have little knowledge of the laws on mining and resettlement, and for this reason they tend to devalue the involvement of civil society and dismiss their contributions. Some companies, such as DH Mining, share this attitude, because they are attempting to reduce compensation costs and underestimate the capacities of the communities. They prefer to negotiate everything directly with the central government. This strategy has not always been very successful, since the government has stopped the company's activities at the suggestion of CSOs and SDAE, and it has had to pay fines.

Niassa has not had the same type of history of multiple resettlement due to mining as Tete. Therefore, it is understandable that both the Nipepe district government and the Muichi community still have little knowledge about their legal rights. With support from local CSOs, the community is now claiming compensation for losses through bank deposits rather than cash and intends to seek out and prepare new farms in an independent way rather than accepting the land allocated by the district government. Additionally, the community wants a clean drinking water system located near their homes, as it was before the company's arrival. It also wants a neighbourhood with a school, a health centre and public transport. The community hopes that the model of the houses the company is going to build will be the same as the houses promised, and that a fence will be erected around the cemetery and the graves of their relatives in the concession area, so that they can continue to venerate their ancestors. Many similar demands, although totally legitimate, were not addressed in the Tete resettlements.

In conclusion, this policy brief highlights ways through which the community and the districts can learn more about their legal rights and reflect upon the successes and failures that have occurred in the previous resettlements.



Local researcher Salvador Mukuweke in Nipepe (Niassa province) discussing future resettlement with Muichi community members. Photo: Lucia Manhiça

RECOMMENDATIONS

- Proper implementation of the government's resettlement policies under the Decree n° 31/2012 which regulates the resettlement process in mining areas including allocation of the 2.75% under mining law (20/2014). More awareness raising about the rights of the communities under the law through strengthening the role of the natural resource management committees and coordination with the District Economic Activities Services (Serviços Distritais de Actividades Económicas-SDAE).
- The Muichi community and Nipepe district government can reflect on the experiences of the communities affected by mining in Tete (such as Mualadzi), with the aim of avoiding mistakes and shortcomings that might cause a major negative economic and social impact for the parties involved. The study of these cases is also recommended in the other districts where resettlement is planned, such as Jangamo district in Inhambane, and Chongoene district in Gaza, where Rio Tinto has large concessions for the exploitation of heavy sands. It is recommended to conduct interprovincial meetings and workshops between the communities affected by extractive projects in the various phases, for exchanges of experiences. These meetings can be facilitated by NGOs and researchers.
- When the Moatize and Marara communities were facing multinational mining companies for the first time over 10 years ago, they did not know much about their rights and did not yet have any experience of activism. But in the following years, the communities received

support as a result of the impressive mobilization by national and international CSOs. Today, Tete activists and committees can be regarded as knowledgeable about the social and legal aspects of the extractive industry. Currently, Muichi community and many other communities in Mozambique possess limited knowledge about the forces and risks they are facing than communities in Tete 10 years ago. One of the advantages that these communities have is the possibility of learning more about multinational mining companies and the resettlement undertaken in Mozambique, based on the accumulated experience of the previously affected communities. This may facilitate the promotion of peaceful and inclusive management of natural resources.

In the situation of growing insecurity about the financing of their advocacy activities, these communities have to rely on cheaper resources including knowledge exchange through social media networks, solidarity among the affected communities, and support from the activists of the province. CSOs can also assist in promoting these resources and supporting the community leaders and activists. The State and the companies for their part, should resist the temptation to take advantage of the recently affected communities in the search for quick gains which will not bring sustainable benefits.

RESOURCES

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