

All the world's at C

Part Two



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Minesandcommunities.org Apologies for lateness in delivery.

Everything I've written for Mines and Communities has been covered by an Open Access policy as you will find on such contributions as London Calling, and I'd like this to be continued.

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Chapter Four:

Corporative Dementia; time for a cure?

One of the public manifestations of “Black Lives Matter” (BLM) to broaden its global relevance, was conceived early in 2020 halfway across the world from the USA.

Significantly, the trigger for this outburst of civil outrage related specifically to actions of uber-miner Rio Tinto. In May 2020 the corporate megalith had bull-dozed, and effectively nullified, two 46,000 year-old sacred Aboriginal burial sites which allegedly “impeded” expansion of iron ore extraction – the company’s largest single income winner - at Juukan Gorge in Western Australia.

This specious event reinvigorated a national civil society discourse whose roots date back 200 years to the initial white-led invasion, predicated on the utterly fabricated supposition that the country was *terra nullius* (a land without inhabitants). What then followed in defining the country’s *de*-development, uniquely distinguishes the struggle for Australian self-identification and land claims, from the transatlantic trope of BLM.

Aboriginal Peoples were forced to endure enslavement by savage appropriation of their very own territory, being flagrantly denied any and all natural benefits gained by cultivating life-enhancing resources with their own labour. Whatever manner of societal “adjustment” or “assimilation” was legislated during later decades (doubtless prompted by post-colonial era, Christian missionary-endorsed, self-guilt), black Australasians remain, at virtually every level of society, marooned, to this very day.

Australia’s Black Power constituency, from the start of the country-wide white invasion, was hammered on the anvil of extractive industry during the heady rise of global resource extraction, triggered by the discoveries of coal, iron, and gold. It’s no mere accident that Rio Tinto has been the globe’s first, or second, leading

base metals’ mining corporation for the majority of the sector’s aggrandisement. Nor that this grew out of an imperialistic cultivation of elitist men, trained at home to be sent to occupy posts of unprecedented influence and ability in sequestering local sovereignties through “indirect” rule, especially in the Indian subcontinent, but also among tribal communities in Canada.

A “Big Australian” in the lap of Ashes

Today’s principle rival to Rio Tinto (as judged by market capitalisation on major stock exchanges around the world) is BHP (Broken Hill Proprietary. In order to enhance and economise output and conveyance of certain minerals (notably iron), has been seriously entertained by heads of both parties in recent years. They have also formed a number of joint ventures - not without causing some discordance, not only outside, but also within, their own alliance. We should recognise the highly controversial aspects of the still-prospective, RTZ/BHP copper mine at Oak Flat in Arizona. Here, Rio Tinto is the main proponent of a “land for minerals swap” while BHP is playing a minority role, adopting a less affirmative and militant position than the British; for its part Rio has persistently pressed to establish a US legal precedent in a patently unequal and unconstitutional battle with native Americans and their supporters.

The project now faces being cancelled altogether, following an environmental and rights-grounded appeal to US president Joe Biden, made by the democratic chair of the US Senate home affairs committee in early January 2021. Shortly thereafter, a prominent British Pension Fund declared its own opposition on human rights grounds. **[Motivated by a wider objective of moral dissociation, a leading student-authored article in the University of Utah Daily Chronicle of January 2021 expressed “disappointment” that a university, claiming it wanted to build a better relationship with**

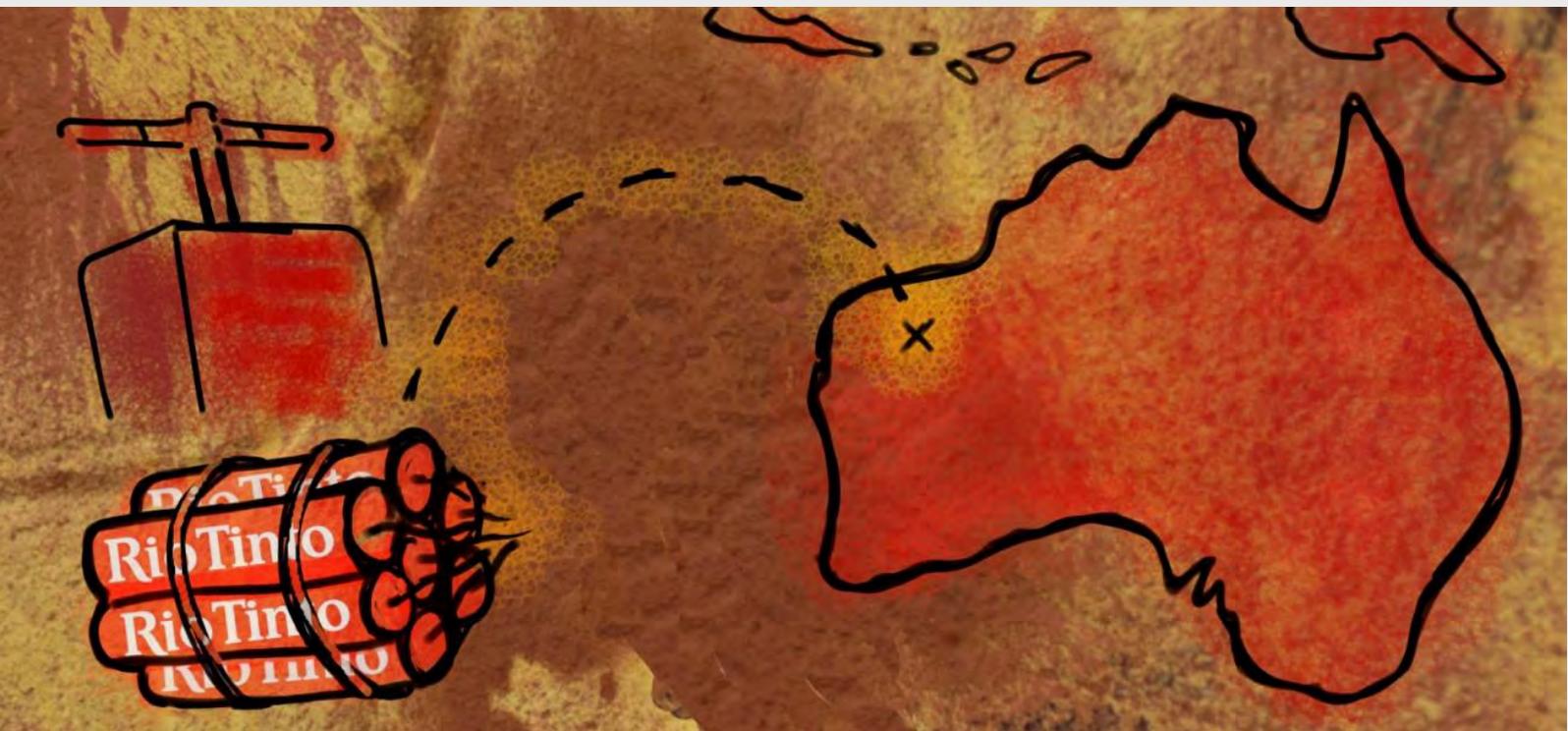
Indigenous communities, “would accept money gained from exploiting native peoples and their lands” Hence, the University “should end the relationship with Rio Tinto and remove the company’s name from campus buildings”].

Severing Juukan’s Jugulars

The “Big Australian” (a popular byword for BHP) appears to have accepted the vocal Australian civil society response to Rio Tinto’s Juukan malfeasance, as a warning that it, too, would face similar resistance, given the abundant number of mineral applications it has pending [See Box One, this chapter]. BHP’s corporate self-image - the strategic detail evolved from its metaphysical blueprinting - was carved from a different cloth than its rival miner, and nurtured by distinctive ethnic origins and designs. (A trope of “disappointed mother country allegiants seeking vast

unexpected tropical rewards“?). The company has certainly been domestically colonialist, anchoring itself significantly in marine-sourced Torres Straits oil as well as metals, all of which it has contended to secure as if this were a quasi-nationalist enterprise.

Avoiding manifest interference in state foreign affairs, its regional allies, notably China and Papua New Guinea, have nonetheless been diligently courted to reflect both BHP’s monetary, and its quasi-ethical. imperatives. **[This is notable in respect of BHP’s operations at the Ok Tedi copper-gold in Papua New Guinea: they were extremely ill-conceived, ran counter to company policy to avoid riverine waste disposal, then the ownership of the mine was irresponsibly off-loaded to the independent PNG government, following costly court proceedings in Australia and accompanied by widespread condemnation from shareholding and other institutions].**



Chapter Five:

The roads that Rio roughshod

In contrast, Rio Tinto has been unapologetically, flag-wavingly, imperialist in all its voluminous rhetoric and actions, employed over more than a century and a half. In recent years, it has deliberately blunted its core “The Way We Work” principles to meaninglessness, when it suits. There are many examples of this; one derives from its Bunder diamondiferous project in India, in which its ground-level engagement failures were replicated at board level to a pitch approaching dishonesty on the part of staffer Sam Davis, who was later dismissed. [See: [Rio Tinto 2016 AGM: “Goodnight children sleep well”](#)]

Rio Tinto (formerly RTZ) morphed from a company in which it was “almost patriotic to own shares” during the 20th century [**The Times, London, 16 December 1968**] into a para-military organisation, with aficionados ready to operate at various levels and in various fashions. These men pledged (often subversively), to implement what they could - if countermanded - argue (to themselves at any rate) was a version of company orthodoxy. Nowhere was this schematic *mode d’emploi* more in evidence than during the over two decades of Rio Tinto’s conduct on Bougainville where it employed manoeuvres similar to those used by BHP in PNG (but with the Aussies apparently doing nothing to interfere with the impending independence of the island state from the “mother country”).

On the other hand, Rio has proudly engineered a remarkable status in brokering global affairs significantly as a mentor to United Nations institutions in framing ESG priorities), thus reflecting its economic domination of trade in virtually every metal and material and negotiating their acquisition, or stealing them from wherever they may lie [See “**Plunder**”,

Partizans and Cafca, London and Christchurch Aoteroa/New Zealand, 1991, page 7].

A major difference between BHP and Rio Tinto has recently become self-evident, following British dalliance with, and eventual confirmed dependence on, the People’s Republic of China, much to the concern of the “folks down under”) [**For a full account of this battle royal, made by Australian financial reviewer and journalist, Robert Gottliebsen, see: “The Australian”, 31 July 2020.**]

Currently, there is a significant standoff between the Chinese state and Australia’s Federal government, over imports by the People’s Republic of much-needed high quality coal. This undoubtedly stems from a Canberra-based perception of Beijing as being guilty of misrepresenting the role of covid-19 and perverting the true record of the disease’s origins and consequences.

But, more importantly, at BHP board level there has long endured an intrinsic tension between what’s seen as an Anglo-oriented Rio Tinto – with a conspiratorial, and verifiably corruptible, senior management (some senior members recently having been sacked for bribery and corruption); and a hands-on, matter-of-fact, “do it as we usually do it” pragmatism by the Australasians.



BOX 3 – The consequences of Juukan Gorge

Adapted & shortened from: “Colonialist Rabble Rousers: How a Group of Australian Funds toppled Rio’s Chief”

Nick Toscano and Elizabeth Knight

Sydney Morning Herald

19 September 2020

What Juukan Gorge has done is set off a groundswell of investor attention on companies' engagement with traditional owners this year, which will feature more heavily in future ESG considerations, explains Danielle Welsh-Rose, the head of ESG at Aberdeen Standard, one of Rio's biggest British shareholders. This attention post-Juukan Gorge is being amplified by inequality issues raised in the concurrent Black Lives Matter movement.

"I certainly think this hasn't been an issue with mainstream investors before and this does mark a shift into the mainstream," Welsh-Rose says. "I think we are seeing a significant moment."

Legal reform push

A disturbing truth that this crisis has exposed is that what Rio did was not unlawful. In fact, sacred sites are blasted with some regularity across the Pilbara with all necessary legal approval, consent of traditional owners, and the knowledge of traditional owners (The Juukan Gorge's traditional owners say they were unaware of the blast plan until it was too late to stop it).

As a federal inquiry probing Rio's actions widens its lens to look how Indigenous heritage is treated industry-wide, a light is finally being shone on what some Indigenous leaders have long described as the extreme power imbalance that underpins their heritage legislation and the land-use deals they sign with resources companies. Namely, that they are afforded no right to appeal approvals granted for works that would impact significant sites on their ancestral land, and no power to veto projects themselves.

Executives from BHP were questioned on Thursday about why they proceeded with applying for approval to destroy 40 heritage sites at its \$4.5 billion South Flank iron ore mine despite knowing about traditional owners' concerns. While the Banjima people did not object to the approval, BHP acknowledged to the inquiry that its deals with the Banjima did not allow them to legally object. Since Juukan, BHP has paused all such plans until it has re-engaged with traditional owners. Momentum is growing for legal reform.

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extreme power imbalance that underpins their heritage legislation and the land-use deals they sign with resources companies. Namely, that they are afforded no right to appeal approvals granted for works that would impact significant sites on their ancestral land, and no power to veto projects themselves.



"It took a catastrophe for people to start looking at this," said Jamie Lowe, of the National Native Title Council, which represents 70 traditional owner groups and native title bodies. "Hopefully we can drive changes to actually happen."

For Rio's part, there is a recognition that it has significant changes to make. There is trust to rebuild and a healing process to begin – with its traditional owner partners, shareholders, and with Australia.

The Juukan disaster has resurfaced long-held criticism that the leadership of the mining giant – dual-listed on the Australian and London stock exchanges – has drifted from Australia and become disengaged since merging with CRA in 1995, despite its iron ore operations here generating the lion's share of the global group's profits.

Large investors and government leaders alike have told Rio's board they expect the shake-up to lead to stronger ties with Australia and its Indigenous communities.

The Juukan anomaly was far from a mere “incident” (which BHP arguably would have avoided making anyway, simply by a lesser show of arrogance). It was prosecuted by Rio Tinto at a time it had acquired the largest fleet of aerial drones used by any mining company to match highly sophisticated means of gleaning intelligence [See: **Part One, Chapter One**] and therefore it had no excuse for failing to recognise the site’s overwhelming cultural importance.

The “necessity” to bulldoze Juukan rapidly acquired a major degree of civil society significance for its downright duplicity; while such acts have become familiar from other corporate invasions (by agribusinesses, for example), they had never before been witnessed on such a scale and with such temerity in contemporary Australia.



More betrayals to come

Does this event foreshadow further betrayals by Rio Tinto of its relationship with Indigenous Peoples? (We fear that its earlier undertaking to close the Ranger uranium venture, return it to Mirrar Peoples ownership, enabling its resurrection as an integral part of a UNESCO World Heritage site. is now in some jeopardy because of the company's dilatory attitude to its funding responsibility/ **[See: https://www.acf.org.au/closing_ranger_protecting_kakadu].**

Essentially, Juukan's destruction does mark a fundamental, possibly final. betrayal of the company's erstwhile "good relationship" with Aborigines and some other Indigenous communities, **[Current apparent discordance between Rio Tinto chairman, Simon Thompson and other policy makers. over the company's taking a much less ambiguous pro-Indigenous stance, may decidedly not play a significant role over coming months in the lead-up to its 2021 Annual General Meetings in London and Melbourne].**

Indeed, Rio Tinto has attempted to gloss-over near-genocidal atrocities, as happened on Bougainville, by masking them with complex dilutions of ideologies of corporate "responsibility", including for acts committed by its subsidiary and associate companies. Arguably, these defences were formulated in such terms that they could only be fully parsed and comprehended by corporate financiers; or by those make a profession of issuing intricate critiques masquerading as intrinsic arguments *per se*. One thinks of the adverse perceptions by Serbians in and around the country's lithium exploration and sampling site. Their responses have clearly grown in force and sophistication over the past two-three years, as Balkan civil society gathers weight and authority to analyse and then seek to demolish unjustifiable corporate hypotheses and assertions.

Arguably, Juukan has now "catheterised" Rio Tinto's ability to engage with and present itself as any kind of authoritative advocate of ethical principles towards Black/Indigenous communities. Indeed, the fundamental rule for gaining Free, Prior and Informed

Consent (FPIC) to mining, in clearly-measured steps as a project advances, has now been fully blown out of the ground.

What could possibly be a more thorough depreciation - indeed outright betrayal - of the idea, than last year's premeditated, but assiduously concealed, then publicly misrepresented, Juukan disembodiment? It's one which didn't simply fail to observe required operational modalities; this was ensured by the company itself deliberately perverting one of its core principles.

No "New Normal" will now emerge for one of the chief advocates of the concept (Three top echelon Rio Tinto officers, including Chairman J-S Jacques, resigned in November 2020). Not only have the current routes to achieving Indigenous justice, failed to work. It's obvious they cannot do so, due to the many avenues which Rio Tinto has employed to confuse and deliberately mislead potential critics. Indeed, it has so far managed to discount responsibility for one the most audacious *legers de main*, committed by a former CEO in order to acquire the immensely valuable Oyu Tolgoi Mongolian copper lode, possibly the world's premier such deposit.

There is virtually irrefutable evidence that this deal was fraudulently manipulated and defended by Rio's Chief Executive Officer at the time, the American Tom Albanese. **[See [Outrage at Ivanhoe - Rio Tinto's dirty deal](#), Mizzima News, Burma, 5 November 2018].** Nor has the company's "reformed" board probed this cardinal issue in the years since.



Chapter Six:

Don't "repeat" a blatantly bloody historic methodology

Rio Tinto has continued trying to refashion its "Old Normal" perspectives of the early new millennium, using the advent of a pandemic to bolster acceptance of a fresh era of conformism. However, this "new" social vision - immersed in a presdigation of the densest digital data and least-fathomable detail - owes little to real change.

Instead, it derives from the company's century-and-a-quarter old compulsion to win, at almost any cost, an imperialist "New Great Game".

From its inception of a global copper marketing cartel in the 1920's, to the "diplomatically" conjured takeover of uranium trading from the USA in the 1970s [See: "**A Radio Active Leak**", **National Times, USA, 16-21 August 1976**], its aptitude at chicanery brooks few comparisons with any other commercial sector.

Nonetheless, the struggle to keep its funders on board, by progressively increasing annual dividends to shareholders, has intensified, just as critical socio-environmental issues show fewer signs of reaching resolution, while control of the "dialogues" remain under Rio management control. **[This is true, even of issues that the board has unequivocally acknowledged to be vitally important; such as adverse climate change. It has equivocated over taking action to control third-party, so-called, "Type Three" Gas Emissions in a commodity production chain, originating with Rio Tinto].**

If such a powerful, apparently convinced, advocate of black indigenous lives importance has now wilfully

compromised this loudly-broadcast cultural objective, we must surely ask, where does the cabal of other mining outfits currently like, after they grievously forsook their protective, "Do No Harm" obligations during the pandemicised year? **[See: Chapter Three, Part 1, page 11].**

Now that this afflicted initial period has apparently ended, we should collectively acknowledge the legacy of damage, ill-health, and dissolution, borne by many communities in the earlier months of the Covid-19 encroachment which still replicates and re-invents itself in some locations, such as South Africa. A particularly compelling reflection of this is the passionately-worded Declaration by ReSisters, from Burma, Cambodia, India, Indonesia, the Philippines and Thailand issued in November last year, condemning the "militarist misogyny and deep connivance with corporations...for plunder" that had taken hold in previous months: **[See: [ReSisters Dialogue Statement on the International Day for Women Human Rights Defenders, Nov. 29, 2020](#)]**

It's not necessary that we over-generalise the situation, blaming every mining practitioner and finance backer for ignominy; some have behaved conscientiously, such as BlackRock (the most important such global Fund) **[See: [BlackRock statement 8 April 2018](#)]** or the South African Minerals Council, launching a campaign in July, to combat "social stigma and ethnic discriminations" against ethnic works impacted by covid-19 **[See: [Collaboration against Covid-19 Stigma. Mining News, 3 July 2020](#)]**

Chapter Seven: Indigenouness and Mining

Intrinsic Understanding of Being Black has long been embraced by those sharing related self-identification (A Black movement has been lobbying for this in Australia for several decades, by way of physically constructed Black Embassies and encampments.). For a short period, in fact, both BHP and Rio Tinto made a joint call for the Australian government to validate Aboriginal political participation in a policy declaration, but the state continues failing to do so.

In the mid 1990's an industry review of future land-located minable deposits and sites which could feasibly be exploited over the next 20 and more years, established where the majority of minerals and related materials (construction minerals, sand, concrete, aggregates, marble, granite, building stone *et al*) were to be found. By imposing this "map" on a similar global layout of Indigenous -claimed and occupied territory, a striking conclusion was reached.

This was that the majority of the most sought-after global extractive resource riches lay beneath native people's feet; their fields, waterways, connecting paths, beds, their kitchens, temples, birthing and dying places, workshops. garages. congregational polarities... the list goes on and on. **[These conclusions were presented by the present author at the World Council of Churches Conference on Indigenous People and Mining, held in London in 1996].**

Thus - were access to and control of, these locations principally governed by the majority of countries which have endorsed the UN Declaration on the Rights of Indigenous Peoples - Western corporate "ownership" of these resources could be pre-empted in many countries, and mines banned outright in others.



Chapter Eight: Why stop here?

Examples of such attempts to Veto extraction in recent years, and some instances of Peoples' success to this end, include those from the Philippines, US, Canada, Kenya and elsewhere.

Moreover, as already pointed out. Similar thefts of land and consequent exploitation of Indigenous labour has taken a markedly different path, notably in the South Pacific (including The Solomons, Fiji, Papua New Guinea), resulting in one of the most exiguous of recent civil conflicts anywhere (Bougainville).

By contrast, in New Caledonia, the Kanak majority of the population chose to affirm their rights, now embraced in UN law, and organise resistance to French

settler-dom, along manifestly political lines. It's a struggle they have waged. and can easily be characterised, as one determined by nationalism versus occupation; by overwhelming numbers of voters acting democratically [See: [Nickel corporate buyout stirs New Caledonia 2020-12-27](#)].

Contrast the astute, well-cultivated regard that the contemporary French government professes for de-colonisation and UN protocols, with the violent military Moroccan possession of the territory of Western Sahara, which the Trump regime chose to back in its dying days of last November, no doubt motivated at least partly by the territory's abundance of phosphates [See: [Protesting 'blood phosphates' 2020-12-22](#)].

It's hoped that US President Joe Biden will reject this morally repugnant back-sliding and continue upholding the former Moroccan boycott. Nonetheless, Aotearoa/New Zealand remains one of fewer than five nations to maintain a flagrantly imperialist relationship with Morocco - ironically, a state which itself escaped from foreign militarised hegemony only within living memory.

BOX 4 - P for Plunder

The Issue

"The phosphate rock reserves are finite – once they are gone they are gone – and New Zealand should not be playing any part in the further depletion of stolen resources."

In 1975 Morocco invaded Western Sahara forcing many of the indigenous Saharawi people to flee for their lives, setting up camp as refugees in neighbouring Algeria. Forty- five years later the Sahrawis remain separated into two populations – those living in Western Sahara under Moroccan military occupation, and the refugee population on the Algerian border, who are fully reliant on international aid to survive and represent one of the longest running refugee crises in modern history.

During the years of war which followed the invasion, Moroccan forces built a 2000km wall through Western Sahara, installing millions of land mines to protect it. This wall is the longest fortified wall in the world and effectively separates Moroccan occupied Western Sahara from the rest of the territory.

Western Sahara is classified by the United Nations as a non-self-governing territory and since the 1960s – when Spain was still colonising the area – the United Nations has been calling for the people of Western Sahara to be allowed to enact their right to vote to self-determine their future. In fact, the promise of a referendum for self-determination was a major part of the 1991 ceasefire agreement, negotiated by the United Nations.

You might be thinking at this point, "this sounds terrible, but what does it have to do with New Zealand?". Unbeknownst to most New Zealanders, we have close and longstanding ties to Western

Sahara through trade. Western Sahara is rich in natural resources, including high quality phosphate rock which has been purchased from Morocco and imported to New Zealand since the late 1980s. Currently the two big New Zealand Fertiliser Co-operatives Ballance Agri-Nutrients and Ravensdown import most of the phosphate rock used to grow just about everything in this country from Western Sahara.

The problem with New Zealand's involvement is that the revenue from our purchases of Phosphate rock are paid to the Moroccan occupiers – not the indigenous people – helping to fund the occupation, while also giving political legitimacy to an illegal occupation through our willingness to trade with them. This in turn also helps stall the United Nations peace process by giving the Moroccan government further incentive to entrench the status quo.

In recent years companies from Australia, Canada, the United States, and Europe have stopped trading in Western Saharan phosphate for ethical and legal reasons – meaning New Zealand is one of the last remaining countries willing to trade in this resource.

For many years Ballance Agri-Nutrients and Ravensdown have been questioned over their involvement in this trade – by Saharawis themselves, International Organisations, as well as New Zealanders who are concerned about our involvement. The New Zealand cooperatives continue to claim that they are comfortable with the legality and ethics of the trade - while acknowledging that their information comes directly from the Moroccan state-owned supplier. Ballance Agri-Nutrients and Ravensdown need to stop taking advantage of this situation and discontinue this trade until the promised vote on Saharawi self-determination has occurred.

The phosphate rock reserves are finite – once they are gone they are gone – and New Zealand should not be playing any part in the further depletion of stolen resources.



Slogan on a badge that Partizans used back in the 1970s