

THE LONDON MINING DECLARATION (OCTOBER 2008)

- Refuting the unsustainable claims of the mining industry
- Opposing current models of corporate engagement
- Confronting mounting threats to livelihoods and life
- Demanding full recognition of community rights

In May 2001, twenty-four representatives of communities and groups affected by mining – from Asia-Pacific, Africa, India, South and North America – met in London to assess the impacts of mining on the lives of communities and ecosystems, and to share strategies in confronting the industry's unacceptable policies and practices.

We recognised that London had become the minerals capital of the world, providing a critical proportion of global mine capital investment and playing a pivotal role in the fixing of world metals prices. Here, too, are located the headquarters of two of the world's four most influential mining companies.

We noted that London had become the centre for industry-sponsored initiatives, seeking to persuade the "international community" that the industry could continue with many of its unacceptable practices. Leading such initiatives was the ICMM [International Council on Mining and Metals] which was to be supported by a majority of the world's major mining companies and some twenty international NGOs.

Seven years ago, we declared that these initiatives promoted at least four half truths or myths:

- (i) the supposed need for more and more minerals from ever more mines;
- (ii) the claim that mining catalysed "development";
- (iii) the belief that technical fixes could solve almost all problems; and
- (iv) the inference that those opposed to mining mainly comprised ignorant and "anti-development" communities and NGOs.

We also recounted experiences - stretching back more than two decades - which emphatically belied these assumptions.

Out of that historic meeting was born the Mines and Communities network (MAC).

MINES AND COMMUNITIES - SEVEN YEARS ON

Meeting again in London in October 2007 – with an editorial board of more than 30 members drawn from fourteen countries – MAC re-affirmed the reality of those experiences and added to its earlier demands.

Since 2001, we had seen communities suffering even more profoundly from mining at all its stages and in new forms - from exploration, through mining to minesite abandonment.

The grievous pain and irreparable destruction caused to cultures, identities and lives have deepened further. Even more traditional lands have been taken, and natural wealth seized, without peoples' consent and substantial benefit accruing to them or the national economies in which they are located.

The pace of military and paramilitary oppression by state and private forces, acting on behalf of mining companies, has dramatically increased. Accompanying this is significantly greater demonization, arbitrary arrest – and even murder – of spokespeople, whose only "crime" has been opposing mining projects that threaten their peoples' territorial integrity and livelihoods.

Mineral extraction has further poisoned waters, destroyed food sources, disrupted social relationships, created sickness and injury. Often, communities have been divided by externally-generated civil conflicts. Increased mine mechanisation has denied many mineworkers the roles they once performed.

In recent years the mining industry, abetted by some state authorities, has become more aggressive and sophisticated in manipulating national and international legislation to suit its interests, through mechanisms such as free trade agreements.

The mining laws of over a hundred countries have already been drastically changed (liberalised) to suit the interests of mining capital. Protocols protecting Indigenous Peoples and the environment continue to be diluted or undermined, as mining expansion reaches unprecedented levels and even more mineral-dependent states turn away from responsibility for the well-being of their citizens to becoming servants of the global corporations.

At the same time, we have seen at first hand community resistance significantly increasing, and new partnerships forming between local people and workers, themselves suffering from the insecurity of short-term contracts or corporate encroachment on traditional small-scale mining areas.

In May 2001:

- 1) We demanded a moratorium on new large-scale mining projects in green field areas of Asia, Africa and Latin America;
- 2) We expressed our firm opposition to all mining and waste disposal in protected forests, along waterways and on mountains;
- 3) We called on the World Bank/IMF to cease funding of industry-initiated mining codes which had been imposed on the governments of Africa, Asia-Pacific and Latin America;
- 4) We demanded mandatory higher standards in all mining;
- 5) We insisted that the surface and subsurface rights of Indigenous Peoples and all mining-affected communities be unequivocally respected and enforced, as well as their right to veto unacceptable projects.
- 6) We also insisted that mining companies clean up the terrible damage caused by their past and current mines, without drawing on public funds, and be held morally, legally and financially responsible for their misdeeds.

Now we strengthen and elaborate these earlier demands.

NEW CALLS FOR CHANGE

We call for:

- 1) Rejection of any official development assistance or multilateral development aid – from the likes of the World Bank IFC and IDA, European Investment Bank or Asian Development Bank – aimed primarily at promoting mineral extraction or infrastructure for the minerals industry, promoting further dilution of protective legislation, royalty and taxation regimes, and designed to favour the interests of the private minerals industry and its investors.
- 2) Cancellation or renegotiation of existing mining and mineral processing contracts and licenses which effectively rob peoples of their resources, squander their rights to the commons, result in exportation of the true value of minerals extracted, or sacrifice in any way citizens' rights to sustainable livelihoods. In addition we call for repeal of all mining codes and cancellation of free trade, bilateral investment and multilateral aid agreements, which provide or allow for such contracts and licenses.
- 3) Abandonment of all corporate codes of conduct, or promises of enhanced corporate social responsibility which are dependent solely on voluntary observance, without transparent and independent monitoring of their implementation
- 4) Assurance that Indigenous Peoples are guaranteed their rights, using as a minimum standard the September 2007 UN Declaration of the Rights of Indigenous Peoples. Central to these is the right of self-determination, one important instrument of which is FPIC (Free, Prior and Informed Consent). Indigenous Peoples should be entitled to grant or withhold FPIC before any mineral exploration or extraction is undertaken within their territories. If an indigenous community chooses to withhold FPIC from any mining company, the company must respect this by removing itself from the community's territory.
- 5) Respect for the right of all communities to say no to mining and mineral-related projects they consider will impact adversely on their environment and deprive them of resources on which they depend.
- 6) Repeal of anti-terrorism laws and other policies that threaten the lives and curtail the rights of communities and activists protesting mining projects.
- 7) Halting of the violence used by state forces or those employed by mining companies, against opponents of mining, including extra-judicial killings.

NGO RESPONSIBILITY

In 2001 we sought solidarity from civil society, and specifically from development and environment NGOs, in response to the global outcry from communities affected by mining.

- 1) We urged these organisations to ensure that mining-affected communities were fully informed in advance on all aspects of mining and minerals projects, and empowered to speak for themselves in response.
- 2) We asked these organisations to refuse to participate in initiatives primarily spearheaded by the industry to serve its own purposes.
- 3) We also urged them to advocate politically and legally enforceable measures that would hold the mining industry accountable, above all, to communities affected by exploration and mining.

Now we invite NGOs and civil society organisations to go further by:

- 1) Actively supporting communities in the assertion of their rights.
- 2) Affirming that they will never negotiate for, nor purport to represent, any community in any dealings with mining companies or governments, unless invited to do so by the community.
- 3) Denouncing any human rights abuses perpetrated against those opposing mining operations.
- 4) Advocating and assisting traditional or other development models chosen by communities as alternatives to dependency on large-scale mining, and which are designed to promote their cultural, social, environmental and economic integrity.
- 5) Rejecting any and all offers of funding from mining or mineral-related enterprises, whatever their avowed purpose.
- 6) Refusing to collaborate with, or employ, any consultants – including academics – who are not self-evidently independent of the minerals industry.

Finally, as members or supporters of the Mines and Communities Network, we pledge to defend its members, and others with whom they work, when their reputations, rights to free expression and organisation, livelihoods or lives, are threatened or negated.

In pursuit of these objectives, we add our signatures to this new London Mining Declaration.

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