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Malawian community takes on miners

BY RICHARD LEE | 25 AUGUST 2011



[http://www.osisa.org/sites/default/files/article/images/Kayelekera Uranium Mine \(malawi\).jpg](http://www.osisa.org/sites/default/files/article/images/Kayelekera Uranium Mine (malawi).jpg)
 Kayelekera Uranium Mine

A community task-team from Malawi's northern district of Karonga has petitioned the Ministry of Natural Resources, Energy and Environment, the Department of Environmental Affairs, the Department of Mines and the Ministry of Labour for access to information that will enable them to effectively monitor mining activities in the area for compliance with fundamental human [rights \(http://www.osisa.org/buwa/regional/socio-economic-rights-young-women-southern-africa\)](http://www.osisa.org/buwa/regional/socio-economic-rights-young-women-southern-africa) and labour standards.

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The Karonga Natural Resources Justice Committee (KANRJC), which submitted the petition, was formed specifically to oversee natural resources and development issues that affect the general public in Karonga. Their groundbreaking initiative seeks to use provisions in Malawi's environmental protection laws that guarantee citizens' access to information in order to protect their communities' health, environmental, property and labour rights.

In particular, KANRJC seeks information on the operations at Kayelekera Uranium Mine and Mwabulambo Coal Mine. It is concerned for compliance with environmental and safety standards at the mines, land allocation for mining without proper compensation being provided to the dispossessed land owners and delivery on undertakings by the mining companies in terms of development agreements with the government of Malawi.

The Kayelekera Uranium Mine is the first uranium mine in Malawi. It is operated by Australian company Paladin Energy Ltd. The government of Malawi offered the company a reduced regime of corporate and rent tax in exchange for a fifteen percent stake in the project. While the extraction of uranium is a dangerous activity that poses risks to the local community's health, life and livelihood, these risks are increased where the activities are not strictly regulated, managed and monitored.

Mwabulambo Coal Mine is operated by Eland Coal Mining Company. Residents of villages situated close to the mine complain that they and their families have suffered illness as a result of the mining operation. They are also concerned about the land allocated the mine and the provision of compensation where families are forced to relocate.

Luke Tembo, Information Officer of the Centre for Human Rights and Rehabilitation (CHRR), which forms part of KANRJC, said of the initiative: "We recognize that mining operations can contribute significantly to Malawi's development and poverty alleviation but all Malawians need to benefit from these operations. Mining can't happen at the cost of peoples' health, their land, their livelihoods".

In addition to CHRR, KANRJC comprises the Uraha Foundation, Citizens for Justice, Young Politicians Union, Karonga Women Forum, Focus, Ngerenge Community Based Organisation and two village headmen from the area. The petition is supported by Southern Africa Litigation Centre (SALC) in partnership with the Open Society Justice Initiative (OSJI), whose right to information program uses litigation to develop the right of access to information in Africa. The petition was filed in terms of the Environmental Management Act and the Constitution which allow for access to both general and specific environmental information held by state organs. The petition seeks various documents relating to:

- Environmental and safety inspections and programmes conducted by the government.
- Development agreements with the government.
- Land allocated for the mining activities as per the licences issued to the mining companies and amounts of money disbursed or allocated for relocation and compensation of displaced villagers.
- Information concerning the state of human health and conditions of human life in as much as they are affected by the mining operations.

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In recent weeks large-scale protests have taken place in Malawi with demonstrators voicing their discontent at the state's inability to ensure that average Malawians can provide for their day to day costs. Fuel shortage, decreased income and a rise in food costs, were primary concerns.

Says Tembo: "With the government looking to make mining a chief forex earner for Malawi, transparency and accountability in these operations is needed right from the beginning, if they are to boost Malawi's export GDP and serve all Malawians."

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