MOZAMBIQUE
Experiences from the First National Congress of Resettled and Affected Communities by the Extractive Industry.
INTRODUCTION
Oxfam in Mozambique’s Extractive Industries program, funded in part by the Norwegian Agency for Development Cooperation (Norad), contributes to responsible management and governance of oil and gas resources through the promotion of active citizenship and the protection of community rights. The program aims to build the capacity of civil society organizations (CSOs) to support communities to advocate for fair governance of natural resources; engage the public on relevant issues through media and online platforms; and build the capacity of communities to influence decisions about how O&G resources are managed. Specifically, in Mozambique, activities have focused on supporting local communities through free, prior, informed and consent (FPIC) trainings and engaging companies on participatory, equitable, and gender-inclusive resettlement and compensation processes. This case study summarizes the experiences of advocacy and mobilization surrounding the First National Congress for Resettled and Affected Communities by Extractive Industries, which took place in Maputo in February 2019 following nearly 10 years of engagement by Oxfam and our allies around community consent and resettlement issues.

CONTEXT
Mozambique is undergoing significant changes in response to natural gas discoveries in the Rovuma Basin of Cabo Delgado Province. While liquefied natural gas (LNG) promises significant revenues for the government, it also spells social, economic, and environmental risks for local communities, especially those facing resettlement. Despite some existing legal frameworks, government is doing little to protect communities living in the project areas from social, economic and environmental risks. The resettlement processes already started in Palma are driven by a need to make way for onshore LNG facilities. Although project operators Anadarko (now Occidental Petroleum) and ENI have established formal mechanisms for engaging civil society at national and local levels, serious human rights issues remain around the implications to land and livelihoods from the resettlement processes. The communities of Moatize in Tete province, Moma in Nampula, and Pande in Inhambane are facing similar challenges as companies Vale and SASOL drive forward projects in those areas.

Mining has a long history in Mozambique, and evidence from previously displaced communities shows that resettled peoples live in a permanent state of struggle, as many were given infertile land and derisory compensation without any objective basis for calculation or indemnification for losses and damages. The denial and lack of openness on the part of the relevant authorities to discuss the concerns raised by resettled and affected communities, combined with the fragility of the legal framework, embodies a difficult and uncertain environment. Nonetheless, opportunities exist to learn from previous experiences and ensure that present and future resettlement processes uphold principles of adequate consent, compensation, and consultation.

The Congress was very, very important to us...Congress came to open our eyes...we were asleep...we felt as if the government and the mining companies were together against the resettled communities and nobody was defending our interests...in all the resettled areas nothing was being done of what was agreed...those houses in Mualadzi have cracks everywhere that offer no security and are a danger to our physical integrity, we don’t have water, we don’t have schools, we don’t have playgrounds, we don’t have anything... after Congress today we know how to talk to the government... we even contributed and hired a lawyer to advise us... Congress practically trained us, organized us, we have a community forum created just to dialogue and deal with resettlement issues and we do not expect help from CSOs or NGOs.

Community Activist Representative of the Reassembled Community of Mualadzi, Moatize-Tete.
Governments and companies in Mozambique have long ignored the voices of rural communities in natural resource decision making. In 2014, Oxfam published findings from a project that highlighted the voices of communities involuntarily resettled to make way for Rio Tinto’s Benga coal mine in Tete province. As an action learning project, the report helped galvanize community members and civil society to take action, with Kuwoka, Sekelekani and Center for Public Integrity engaging media channels continue elevating the experiences of affected communities. Meanwhile, Oxfam’s trainings around FPIC focused on building individual and collective capacities to advocate effectively for community rights. All these complementary initiatives contributed to raising the political stakes for those actors who would continue to ignore community voices. The groundwork was now prepared for the realization of a multi-stakeholder space for communities to dialogue with government and companies.

The first National Congress of Resettled and Affected Communities in Mozambique brought together members from affected communities, civil society organizations, private sector, various government ministries (Ministry of Industry and Commerce, Ministry of Mineral Resources and Energy, Ministry of Land, Environment and Rural Development) and the judiciary in a multi-stakeholder space to share experiences around resettlement processes. The Congress sought to influence the government, particularly the judiciary, into resolving disputes between communities and companies. It succeeded in drawing government’s attention to the problem, and provided an opportunity for resettled or affected communities to share their experiences and increase their understanding of resettlement processes. Before the Congress, community members were completely excluded, ignored, and sidelined, but the Congress triggered a new dynamic between communities, the government, and the companies, giving communities an opportunity to demand engagement in consultation, compensation, and resettlement processes. The Congress was led by Oxfam’s partners Sekelekani and the advocacy network Civic Coalition on Extractive Industry (CCIE).

Following participation in the Congress, communities demanded the creation of spaces for dialogue with extractive companies to resolve disputes. As a result, consultation groups and community platforms were
created or reactivated. In Palma, the consultation group created to address the resettlement process was integrated at the provincial level to facilitate dialogue with the Ministry of Land, Environment and Rural Development (responsible for resettlement issues) and the Ministry of Mineral Resources and Energy.

Resettled communities in Bagamoio hired a lawyer who secured payment of indemnities to 724 households by mining company Vale, in a once seemingly closed case. Resettled communities in Mualadzi organized and wrote a petition to mining company ICVL (who acquired the Benga mine from Rio Tinto), with the support of the district and provincial government, demanding fulfilment of commitments made during community consultation processes. The population in Moma paralysed the work of mining company Kenmare, who was getting ready to destroy several cemeteries within the communities and demanded the attention of members of parliament on unfulfilled commitments by Kenmare. Women organized to address issues related to the right to be included in the indemnities by multinational mining companies.

The prosecutor’s office is beginning to be more involved in the resettlement processes while contracts and resettlement information is slowly starting to be shared with communities. The Mozambican media has broadened its focus to issues related to the extractive sector, especially with regard to the suffering of resettled communities, and as such, dozens of articles and reports have begun to be disseminated and circulated throughout the country.

While the Congress built on work that was already in progress from years of involvement in these communities, it nonetheless served as a catalyst to propel communities into taking action and to persuade the government and companies to pay attention to their demands.

WHY WAS THE INITIATIVE SUCCESSFUL?
The Congress paid special attention to existing experiences around three essential themes, namely:

1) Community consultation processes to harmonize interests with companies and the state;
2) The legitimate representation and full participation of affected communities in dialogue and negotiation with stakeholders;
3) Ensuring decent and sustainable living in resettlement sites.

This was only possible due to the strong connections fostered through community building approaches in mining, oil and gas communities themselves and a long enough timeline for the work to mature.

By imparting knowledge on topics of high relevance to their livelihoods and grievance mechanisms, the Congress fostered new attitudes, highlighting that people can be agents of change and demand their rights. In fact, innovative local mechanisms for participation flourished post Congress with local leaders taking issues forward directly, thus contributing to the medium and long-term sustainability of their actions.

Participants were especially pleased with discussions on the Mining Law, their rights to compensation and restitution, and the mechanisms for the payment of indemnities. They felt empowered to learn about ongoing plans for resettlement and best practices for these processes. The desire for change was met with practical action, as the Congress facilitated interactions with and access to oil companies, government, and even lawyers that would later move to represent communities in their demands for justice.

LESSONS LEARNED
A combination of backstage influencing prior to the Congress, targeted capacity building of participants, and direct testimony from affected communities proved invaluable in securing commitments from government officials and upholding spaces for dialogue and ongoing information sharing. The long-term engagement and alliance building was crucial to increasing the political cost of ignoring communities to finally bring about dialogue.

The Congress provided a space to discuss experiences, formulate new knowledge and facilitate connections between communities, private sector, and government actors that would have otherwise been impossible. It demonstrated that even in a difficult political context and with low levels of education and technical capacity on a complex industry, long-term engagement of citizens drives change.

“...from the Congress....today we note that both the mining companies and the government are beginning to feel the obligation to respond to the concerns of this group...”
Executive Director, Kuwuka, Maputo.

CSOs were crucial to the success of the Congress. The fact that the Congress came under the leadership of the Civic Coalition on Extractive Industry (CCIE), which represents
multiple CSOs in a platform for information exchange, coordination of advocacy, and monitoring of the extractive sector in Mozambique proved invaluable in fostering wide connections and driving an inclusive strategy of representation. Prior to the Congress, coalition partners used their connections to engage government in roundtable discussions that influenced meaningful government participation in the Congress and helped sway attitudes of government representatives on topics of resettlement and compensation. In fact, as a result of these informal spaces, some government representatives joined the Congress ready to defend resettled communities and make commitments to address their needs. Additionally, prior to the Congress, CSOs encouraged media to feature stories on the experiences of resettled communities to further raise the government’s awareness of these issues. The great relevance of the Congress was therefore driven by its inclusionary approach and consensus-building strategy both prior and during the Congress.

Lastly, leveraging international pressure and attention helped ensure companies like Anadarko recognized the authority and credibility of national CSOs and community voices. This increased visibility helped organizations gain access to new spaces that encouraged multi-stakeholder group interactions at the Congress, but also allowed for cross-country collaborations to be formed across Mozambique and South Africa, as well as by engaging influential voices in the United States where the corporation was based.

CONCLUSION
Given the success of the First Congress and the need to follow up on commitments made to communities, the program is exploring the possibility of institutionalizing the Congress by holding the event every two years. This would provide a space to follow up on promises made by governments and companies, evaluate community consultation processes, and standardize legal and institutional frameworks for the promotion and defence of the rights of the resettled and affected communities. In a second Congress, it will also be important to pay special attention to improved monitoring of the context, as projects in exploration phase move towards final investment decisions, potentially increasing tension between communities, government, and companies.
Oxfam supports the rights of communities to know about oil, gas, and mining projects, and to decide if they want these projects. Oxfam also helps track the revenues paid by companies to governments so that more of that money will be spent fighting poverty. Today Oxfam works to find just solutions to oil, gas, and mining issues in approximately 30 countries. This case study is part of a knowledge and learning series focused on Oxfam and partners’ work influencing the oil, gas, and mining activities in selected countries.

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Endnotes
1 For more information see Oxfam’s independent government revenue forecast for the ENI-operated Coral South Floating Liquified Natural Gas (FLNG) project. Available here: https://www.oxfamamerica.org/explore/research-publications/government-revenues-coral-flng/
4 It consists of the following organizations: Center for Public Integrity (CIP), Centro Terra Viva (CTV), Christian Council of Mozambique (CCM), SEKELEKANI and KUWUKA JDA. These organizations, especially CIP, were very crucial to the success of this Congress.

Photos
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