

Mining conflicts in sub-Saharan Africa: Actors and repertoires of contention

Bettina Engels

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Mining conflicts in sub-Saharan Africa: Actors and repertoires of contention

Bettina Engels

Abstract

Industrial mining is currently one of the fastest growing sectors of the world economy, particularly in the Global South. The present mining boom is, however, accompanied by numerous conflicts: conflicts over labour relations, over territorial control and access to water and land resources, over the effects on local livelihoods, on gender relations and ecological systems, and over the distribution of profits and tax revenues. In this paper, a typology of mining conflicts is developed, starting with existing case studies of current conflicts over industrial mining in sub-Saharan Africa and building on my own research in Burkina Faso.

In contrast to existing typologies, the one presented here is based not on the subjects of the conflicts but on actor constellations: conflicts between trade unions and mining companies; between civil society organisations on the one hand and the state and mining companies on the other; and between artisanal miners and mining companies. I argue that historically shaped socio-ecological and socio-economic conditions, namely the existing land usages, have a crucial effect on the actors and actor constellations in conflicts over mining, and that different actors have different means of engaging in conflict at their disposal, and thus rely on different repertoires of contention when engaging in collective conflicts.

Zusammenfassung

Der industrielle Bergbau ist gegenwärtig einer der am stärksten wachsenden Wirtschaftssektoren weltweit, insbesondere im Globalen Süden. Der aktuelle Bergbau-Boom geht mit einer Vielzahl an Konflikten einher: um Arbeitsbeziehungen, um territoriale Kontrolle und den Zugang zu Wasser- und Landressourcen, um die Auswirkungen auf lokale livelihoods, auf Geschlechterverhältnisse und Ökosysteme sowie um die Verteilung der Gewinne und Steuereinnahmen. Dieses Kapitel entwickelt ausgehend von bestehenden Fallstudien zu gegenwärtigen Konflikten um den industriellen Bergbau in Subsahara-Afrika sowie aufbauend auf eigene Forschungen in Burkina Faso eine Typologie von Bergbaukonflikten. Anders als bestehende Typologien konzentriert sich diese nicht auf die Konfliktgegenstände, sondern auf die Akteurskonstellationen der Konflikte: zwischen Gewerkschaften und Unternehmen; zivilgesellschaftlichen Organisationen auf der einen und Staat und Unternehmen auf der anderen Seite; und zwischen Akteuren des handwerklichen und industriellen Bergbaus. Ich argumentiere, dass historisch geformte sozial-ökologische und sozio-ökonomische Bedingungen, insbesondere die bestehenden und vorherigen Formen der Landnutzung, wesentlichen Einfluss auf die Akteurs-

konstellationen in Konflikten um die Ausweitung des industriellen Bergbaus haben. Die Akteurskonstellationen wiederum bedingen die Mittel des Konfliktaustrags: Unterschiedliche Akteure haben unterschiedliche Mittel zur Verfügung und greifen entsprechend auf unterschiedliche „repertoires of contention“ in kollektiven Konflikten zurück.

Keywords: mining, Africa, conflict, social movements, repertoires of contention

Schlagwörter: Bergbau, Afrika, Konflikt, soziale Bewegungen, Protestrepertoires

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Introduction

Industrial mining is currently booming worldwide. Encouraged by international financial institutions, in particular the World Bank, many governments have placed enormous hopes in mining as a motor for economic development (Bebbington et al. 2008: 889; Campbell 2008). Nevertheless, resource-rich countries do not necessarily show a higher level of development than others, as the debate on the “resource curse” points out (Auty 1993; Sachs/Warner 1997). Sub-Saharan Africa in particular demonstrates that resource wealth does not automatically lead to a general improvement in the living conditions of the population. Africa has 42 per cent of the world’s deposits of both bauxite and gold, 38 per cent of its uranium, 88 per cent of its diamonds, and other extensive reserves of fossil, metal and non-metal raw materials (e.g. tin ore, wolframite, chromite, cobalt, manganese, rock phosphate, copper), as well as rare earths, oil and gas (Bush 2008: 361; USGS 2014). At present, 14-15 per cent of worldwide mining investments take place in Africa (Ericsson 2013; KPMG 2013), with most of the mining projects located in sub-Saharan Africa. At the same time, however, sub-Saharan Africa has the world’s highest poverty rates.

Industrial mining is characterised by a striking, conflict-laden ambivalence: it is of immense importance for the national and global economy, economic and social development, and the global energy supply, but at the same time it has far-reaching negative social and ecological effects. Industrial mining sparks a multitude of social and political conflicts between non-state actors, state actors at different levels (local, regional and national) and mining companies. Anthony Bebbington et al. (2008: 901ff) state that mining conflicts in the 2000s were primarily characterised by labour struggles and conflicts between trade unions on the one hand and governments and mining companies on the other. The current territorial expansion of industrial mining (e.g. into indigenous territories and areas with small-scale agriculture and livestock farming) has resulted in a shift and an expansion of actor constellations in conflicts over mining and has widened the range of the topics of conflict to include: conflicts over working conditions and the development of new mining areas; over territorial control and access to water and land; over the effects on local livelihoods, gender relations and ecosystems; and over government regulations concerning the conditions for mining activities and the distribution of the profits and tax revenues (Bebbington 2012; Bebbington/Bury 2013; Bush 2004). Although numerous academic case studies and extensive documentation by civil society networks exist, until now there have been hardly any attempts to systematise and classify current mining conflicts according to type. An exception to this is the contribution by Javier Arellano-Yanguas (2012). Based on an empirical examination of mining conflicts in Peru, he identifies three types of conflict: conflicts over the effects of mines on the livelihoods of local communities;

conflicts in which local communities negotiate with mining companies over compensation, job promises, etc.; and conflicts between local communities and the central government over the distribution of taxes, profits and rents from mining activities (Arellano-Yanguas 2012). The typology is, however, limited to the Peruvian experience, and exclusively covers conflicts involving local communities as core actors. In contrast, empirical evidence from other cases demonstrates that in conflicts over mining, other actors may be involved, and that conflicts also frequently occur within local communities, e.g. between artisanal miners, workers employed by the industrial mining companies, land owners, peasants and pastoralists. Different groups within local communities have varying interests with regard to mining, depending on their economic activities (Ballard/Banks 2003).

In this paper, I develop a typology of mining conflicts based on case studies found in the literature on current conflicts over the expansion of industrial mining in sub-Saharan Africa and on my own research in Burkina Faso (Engels 2016). In contrast to Arellano-Yanguas' typology, the one presented here is based not on the subjects of the conflicts but on actor constellations. I argue that historically shaped socio-ecological and socio-economic conditions, namely the existing land usages, have a crucial effect on the actors and actor constellations in conflicts over mining, and that different actors have different means of engaging in conflict at their disposal, and thus rely on different repertoires of contention when engaging in collective conflicts. "Repertoires of contention" refer to a set ("toolkit") of activities and tactics used by collective actors in a specific protest cycle or in a certain campaign (Taylor 2004; Tilly 2006). These repertoires are deeply embedded in the broader historical, social and cultural context, and are inscribed into the political culture as a means of collective action. Each society has its own traditions, rites and routines of action in collective political claim making (Tarrow 1998: 20). An actor-centred typology is thus instructive in the analysis of conflicts over mining.

In many cases, trade unions, in addition to local communities, play an important role in mining conflicts. Artisanal and small-scale miners are central actors, particularly in states where the establishment of an industrial mining industry is still fairly recent. This is the case for most states in sub-Saharan Africa (with the exception of South Africa and Zambia), but also in Asia (an exception is Mongolia) and Latin America (Peru and Chile are the exceptions here). The lines of conflict run both between artisanal miners and mining companies, and within the local communities between artisanal miners and other social groups.

This paper is organised as follows. In the following section, I present a typology of three conflict constellations based on the existing literature, with a particular focus on case studies of current mining conflicts in sub-Saharan Africa. These are then illustrated using specific examples of current conflicts over the expansion of industrial mining in Burkina

Faso. For this purpose, I first outline the historical development and economic importance of the mining sector in Burkina Faso. To conclude, I summarise the examples presented and discuss the analytical value of the proposed actor-centred typology.

Field research for the case study was conducted in Burkina Faso in March, September and December 2015, and in March-April 2016. 40 non-standardised interviews were conducted in the Burkinabe capital Ouagadougou, at two industrial mining sites and in six artisanal mining sites (*sites d'orpaillage*), and eight focus group discussions were held with village people and artisanal miners¹. Interviewees were representatives of ministries and subordinate government authorities, mining companies and business associations, non-governmental organisations (NGOs), trade unions and local initiatives, (ex-) workers in industrial mines and artisanal miners. Informal meetings and observations at the mining sites were also taken into account. In addition, the analysis is based on articles in the Burkinabe press, reports by national institutions and documents from Burkinabe trade unions and non-governmental organisations.

A typology of mining conflicts in sub-Saharan Africa

In the following, I present three typical conflict constellations that can be used to describe and analyse the recent upsurge in conflicts related to industrial mining. The empirical examples on which the typology is based are taken from the literature and refer to different states in sub-Saharan Africa, particularly the Democratic Republic of Congo (DRC), Ghana, Sierra Leone, South Africa and Tanzania, as these countries are the most represented in the literature on mining conflicts. The three conflict constellations are ideal-typical and serve the purpose of analytical differentiation. Empirically, they overlap and intermingle in most cases.

Conflicts between civil society, state actors and mining companies

Conflicts between civil society organisations state actors and mining companies over the expansion of industrial mining often emerge in rural communities in the mining areas concerned. In addition to institutionalised civil society organisations (non-governmental organisations, ethnic and indigenous organisations, organisations of resource users,

¹ I am very grateful to all those who supported the empirical work in Burkina Faso for their time and their trust. The research was supported by the German Federal Ministry of Education and Research (BMBF) as part of the project “Global Change – Local Conflicts?” and by funds from the DFG Excellence Initiative. I would also like to thank Kristina Dietz, Anna Dobelmann, Franza Drechsel, Sarah Kirst, Melanie Müller and Louisa Prause for their intensive discussion of the subject and for their support of my work on this contribution. The maps in both of the illustrations were drawn by Christian Sonntag: many thanks to him!

community-based organisations, etc.), those involved in conflict may be less formally organised collective actors such as local initiatives, village communities, women's groups, youth and pastoralists.

Typical issues of conflict are the loss of settlement and land used for cultivation, grazing or other purposes; questions of (inadequate) compensation and the lack of participation in the process of awarding concessions; human rights abuses linked to (forced) resettlement; the health and ecological effects of the use of chemicals in mining; demands for employment in the mines for the population of the mining region; and the distribution of the profits, taxes and duties derived from mining activities (Arellano-Yanguas 2012; Bush 2004; Wilson 2013; Woertz 2014). Residents, land users and representatives of local communities complain, for example, that customary land use is not recognised and compensation only paid for buildings and land for which formal claims (in the form of ownership certificates and land titles) exist, and that the required consultations *de facto* do not take place or that there are no adequate possibilities to participate. In many cases, conflicts are triggered when specific places of cultural, spiritual or religious meaning are affected by a mine, such as churches, mosques, burial grounds, etc. (Engels 2016).

The repertoires of contentious action that these actors deploy vary depending on their degree of organisation and, linked to this, their access to formal and informal political institutions and arenas of decision making (Engels 2015b). Repertoires of contention in mining conflicts range from lawsuits, submissions and petitions through demonstrations and strikes, to occupation and sabotage (Anyidoho/Crawford 2014; Engels 2016; Geenen/Claessens 2013). Actors cannot choose freely which strategies they deploy, but depend on the particular social, cultural and political context. Likewise, not all actors can make use of the same strategies. The options and means that actors have at their disposal depend on their position in the social field that is structured by power relations (Dietz/Engels 2014: 82). Social groups that are less organised in formal ways and weakly represented in institutions often do not have at their disposal either the material resources or the know-how to initiate lawsuits, petitions or formal demonstrations referring to the respective law of assembly. Many conflict contexts are characterised by weak participation and representation of local land users and village people in the processes of granting mining concessions, and by a lack of institutional channels and *de facto* opportunities for these groups to exercise their claims and interests. They thus refer more often to unconventional and confrontational strategies of protest, such as occupations and riots (Wilson 2013: 7, 13).

Depending on how the lands given over to mining were previously used, different actors may become involved in conflicts over industrial mining. This can be village and small farmers associations and human rights and development NGOs in cases of loss of settlements and agricultural lands; or when larger farmlands are concerned, influential land

owners, “big men”, and agricultural associations may become involved. Pastoralists, who are in many cases weakly organised in formal ways and are only marginally politically institutionalised, become engaged in conflicts when they fear the loss of grazing areas and access to water for their livestock. Religious associations and personalities (such as priests, Sheiks, earth priests and the like) are central actors in conflicts over spiritual and cultural places. Furthermore, in many cases, particularly when conflicts emerge about the allocation and distribution of taxes, rents and profits, local politicians, municipal councils and the like become involved.

Numerous empirical studies of mining conflicts, for example in Ghana, the DRC, Sierra Leone and South Africa, emphasise asymmetric power relations between mining companies and governments on the one hand and local communities on the other (Akiwumi 2012; Anyidoho/Crawford 2014; Ololade/Annegarn 2013; Wan 2014; Wilson 2013). Fenda Akiwumi (2012) analyses these from the theoretical perspective of the world system theory as reflecting structurally established unequal North-South relationships. The latter are typically expressed in the unequal distribution of the costs and benefits of industrial mining projects: the negative ecological and social consequences of mining are tied to the locality, i.e. they primarily affect people who themselves live in the mining regions. The profits and the related socio-economic development opportunities, in contrast, are independent of the locality: the revenues are distributed between the mining companies and central states. In this context, empirical studies identify significant contrasts in terms of the perceptions of mining companies and residents concerning the positive and negative impacts of large-scale mines. Residents, in many cases, tell of far-reaching negative ecological, socio-economic and social consequences, while hardly noting the positive effects emphasised by the mining companies, such as corporate social responsibility measures (Ololade/Annegarn 2013; Wan 2014).

Conflicts between trade unions and mining companies

Strong trade unions in the mining sector exist most notably in states with a tradition of industrial mining. The phase of structural adjustment in the 1990s driven by international financial institutions also left its mark, in particular on those states (e.g. Zambia) in which formalised, regulated industrial mining already existed at the time (cf. Hilson 2006). Mining laws were liberalised and mines owned by the state were privatised. Trade unions played a central role in the protests against these privatisations. One of the best known cases is that of the Congolese mining company Gécamines, which was founded in 1906. Due to pressure from the International Monetary Fund (IMF) and the World Bank, in the 1990s Gécamines dismissed 10,000 employees. These former workers set up the “Collective of ex-employees of Gécamines” (Collectif des ex-agents de la Gécamines) and protested, together with trade unions and non-governmental organisations, against

their dismissal. They claimed that the layoffs did not conform with Congolese law, protested against the lack of transparency regarding agreements between the international financial institutions and the Congolese authorities, and demanded the payment of outstanding wages (Rubbers 2010). In Zambia, too, a broad alliance of trade unions, churches, and student and other civil society organisations protested against the privatisation of the copper mines and the resulting socio-economic consequences (Larmer 2005). In recent years, the “Marikana massacre” in South Africa is one of the labour conflicts in the mining sector in sub-Saharan Africa that has received the greatest attention worldwide. The “wild” strike, i.e. a strike not organised by a trade union, in the platinum mine in Rustenberg near Johannesburg, operated by the British company Lonmin, was brought to a violent end by police after seven days, with 34 miners shot dead (Alexander 2013). The incident also became a symbol beyond South Africa for the potential for the escalation of labour struggles in the mining sector and for the conflict-laden relationship between trade unions, workers’ parties, former liberation movements and social movements as a whole (Müller 2015). Many of the Marikana strikers no longer felt represented by the mineworkers’ union, the National Union of Mineworkers (NUM). The NUM is the largest member of the umbrella organisation Congress of South African Trade Unions (COSATU), which is part of the Tripartite Alliance, together with the former liberation movement, represented by the African National Congress (ANC) and the Communist Party. This Tripartite Alliance is a central institutionalised pillar of the ANC government (Ludwig 2013; Moodie/Ndatshe 1994).

The relationship between trade unions and social movements – both in the field of industrial mining and in general – is fraught with tension, as the South African example very clearly demonstrates. At the same time, in many cases of mining conflicts, broad alliances exist in which trade unions, movements and institutionalised civil society actors cooperate with one another, as in the cases of Gécamines and the Zambian copper mines. In general, only those employed in industrial mining are organised in trade unions. These workers are, however, a minority of those employed in mining in Africa as a whole; the great majority are self-employed in artisanal and small-scale mining, which often proceeds informally. In most cases, they are not – or only to a small extent – organised in trade unions.

With regard to conflicts between organised labour and mining companies, the relationship between actor constellations and repertoires of contention become particularly clear: strikes are the typical tool of workers’ struggles, as they are a well established repertoire of contention in capital-labour conflicts worldwide. As the Marikana example demonstrates, this repertoire is socially inscribed in many conflict relations, to the extent that workers also rely on it even when protests are not organised by trade unions.

Conflicts between artisanal miners and industrial mining companies

Industrial mining comprises formalised mining projects by business enterprises, based on capital, technology and formal employment. Its expansion in most African states only began in the 1990s, when many mining laws were liberalised under structural adjustment programmes. Semi-industrial or small-scale mining operates with a minimum of installed conveyor systems and in many cases with an output that does not exceed the quantity laid down in the corresponding mining laws. Artisanal mining is relatively poor in capital and technology. It is predominantly a subsistence activity, sometimes with the employment of a few people, often family members, and is largely conducted in informality (Bush 2009; and the contributions in Futures 62 A, 2014; Gueye 2001: 4-5; Hilson/Garforth 2012: 435; Hilson/Gatsinzi 2014: 1; Jönsson/Bryceson 2009: 249). It is estimated that in Africa, nine million people are employed in artisanal and small-scale mining, in both the formal and informal sectors. There are a further 54 million people whose livelihoods depend indirectly on this sector (Jönsson/Fold 2011: 479).

Competition between artisanal and industrial mining represents an essential line of conflict in many countries worldwide, related to the expansion of industrial mining (Bolay 2014; Bush 2009; Fisher 2007; Verbrugge 2015). Exploration activities for industrial mines usually take place on land that is already being used for different purposes. Artisanal mining, small-scale agriculture and animal husbandry, as well as village settlements, are the most frequent uses of land for which mining companies are granted licences. Artisanal mining is of particular importance here: for one, companies apply deliberately for exploration licences for areas in which artisanal mining is taking place, because the presence of artisanal mining represents an important indication of resource deposits (Luning 2008, 2014). Artisanal miners thus involuntarily do the early exploratory work for the mining companies free of charge. In addition, artisanal mining is mainly conducted informally; i.e. in contrast to the owners and users of agricultural land and the inhabitants of villages in the mining area, artisanal miners as such have no rights to consultation or compensation in the process of establishing a mine. Again, how land is used or was previously used (for artisanal mining) determines which actors (artisanal miners) get involved in conflicts. In many cases, artisanal miners, self-employed in the informal sector, are weakly organised in formal ways, and their access to political institutions and arenas of decision making is thus restricted. This is not to say that they are not “organised” at all; by contrast, artisanal mining sites are often highly organised and complex social spaces (see e.g. Werthmann 2003). But they are significantly less organised in formal collectives such as trade unions, associations, NGOs and the like. As a consequence, they often rely less on institutionalised repertoires of contention such as formally organised strikes and demonstrations, petitions, legal means and the like, and

more on spontaneous marches, riots, sabotage, etc. (Engels 2016).

Empirical studies have shown that competition over land use, rights to consultation and access to compensation are central themes in conflicts between artisanal miners and industrial mining companies. The state plays a central role as the regulatory authority. Evidence from Sierra Leone (Wilson 2013), the DRC (Geenen 2014), Senegal and Tanzania (Carstens/Hilson 2009; Lange 2011; Lugoe 2011) proves that access to land for artisanal mining has been considerably limited by state policies that directly or indirectly grant priority to industrial mining. Furthermore, mining and land laws are often unspecific with regard to the rights of artisanal miners. This encourages forced resettlement and inadequate compensation (Lange 2008: 20-21; Lugoe 2011: 34), which in turn lead in many cases to conflicts. Typical of this is the weak participation and representation of local land users and villagers in the processes of granting exploration permits and mining concessions, and the lack of institutional channels for these groups to assert their interests and rights.

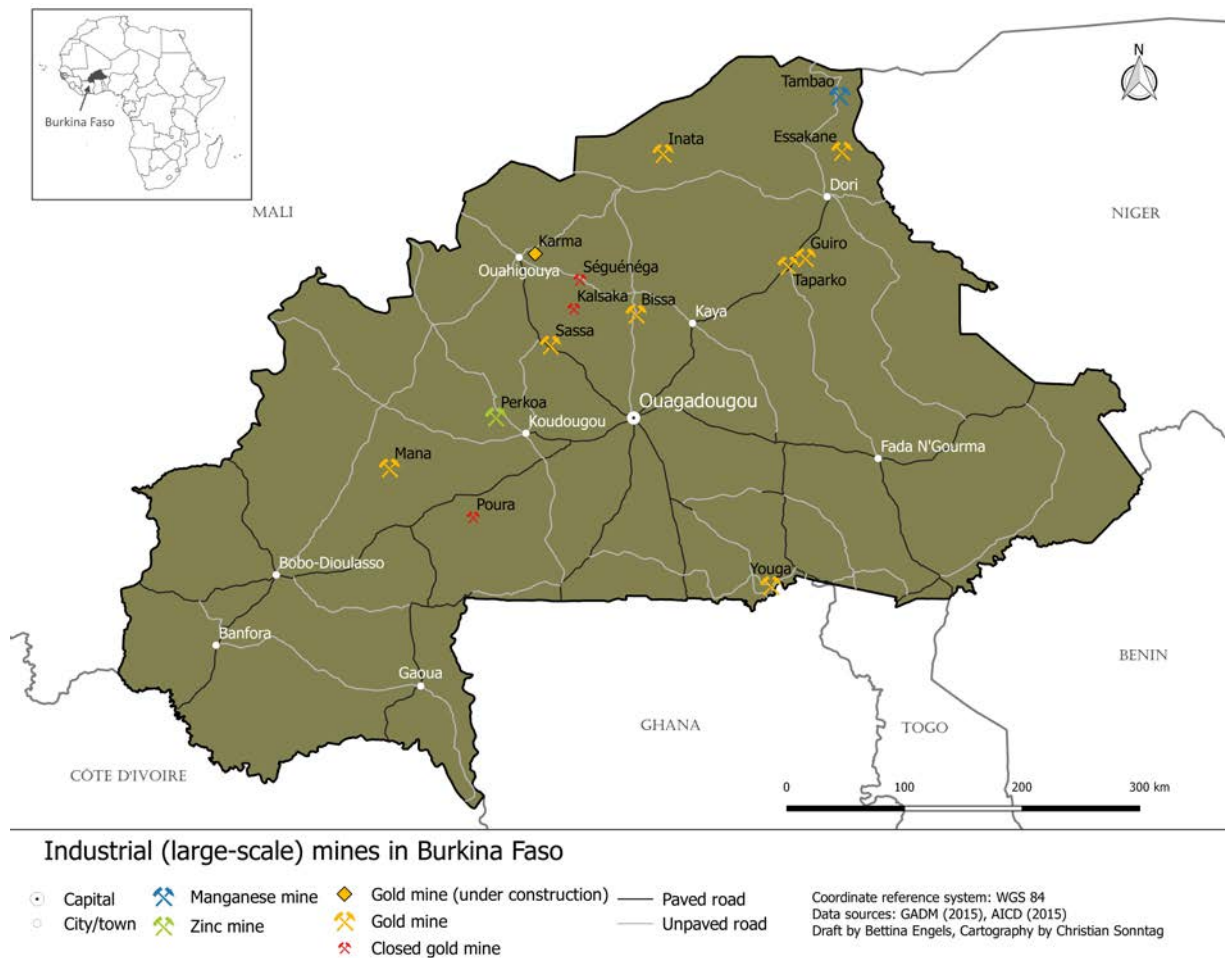
Conflicts over gold mining in Burkina Faso

Burkina Faso is one of Africa's fastest growing gold producers, and it is somewhat typical of many sub-Saharan African states that witness conflicts related to mining, in the sense that artisanal mining has a long tradition in Burkina Faso, while large-scale industrial mining is relatively new and currently expanding. Hence trade union organising is weak in the mining sector, though in general Burkina Faso has a vibrant trade union and social movement scene (Engels 2015b).

In French speaking Western Africa, artisanal gold mining is subsumed under the term *orpillage*, the French word for gold washing (i.e. artisanal gold extraction in water courses). Despite its origins, however, the term also encompasses people who extract gold by digging holes in the ground, as they do in Burkina Faso, who are called *orpilleurs*. These pits are often 20 to 50 metres deep, and according to interviewees can sometimes reach up to 100 metres. The *orpilleurs* use ropes to descend into the pits and work with rudimentary tools to extract potentially gold-bearing ore. In a multi-stage process, the ore is ground by motor-driven mills or by hand, then washed and sieved through cloth. The separation of the gold from the ore is finally achieved using mercury and sometimes cyanide (for a detailed explanation, see Tschakert/Singha 2007).

In Burkina Faso, gold has only been mined industrially on a larger scale since the mid-2000s. There are considerable differences between industrial and artisanal mining with regard to the amounts extracted, the number of people employed and the number of extraction sites. In 2013, according to the statistics of the Ministry of Mining, 32,958.93

Figure 1



Map designed by Christian Sonntag

kg of gold was mined in Burkina Faso. Only 431.63 kg came from artisanal mines, according to these statistics (MME 2015), though the actual amount may be significantly larger, as artisanal gold mining largely takes place in informality. The eight currently active industrial gold mines operate with only several hundred employees each. Altogether, about 9,000 Burkinabes work in industrial mining, the vast majority in low qualified and badly paid positions (IMF 2014: 5, 24). In contrast, the Ministry of Mining estimates the total number of artisanal miners to be between 600,000 and one million, working at about 600 mines. More than half of these are “wild” mines for which no state concession has been granted (information from the Ministry of Mining, 13 March 2015). Burkinabe land law declares that all land belongs to the state; this also includes subsoil resources. The first national mining law was passed as part of structural adjustment processes in the 1990s: the first *code minier* came into force in 1993; the revised version, which came into force in 1997, comprised primarily the liberalisation of the industrial mining sector. The state thus no longer invested directly in mining and private mining

activities were legalised and encouraged (Gueye 2001; Luning 2008: 390). The 2003 reform of the *code minier* (loi no. 031/2003 of 8 May 2013) comprised in particular new regulations for the sector's taxes and duties in order to make Burkina Faso mining more attractive to foreign investors. Today, Burkina Faso is the fastest growing gold producer in Africa and the fourth largest on the continent (IMF 2014: 23). From 2007 to 2013, eight industrial mines were opened up by private investors. Two of them, a zinc and a manganese mine, are not (or no longer) operative (AfDB et al. 2014; MME 2014; World Bank 2012; see Figure 1). The mining law differentiates between exploration permits and concessions for industrial mining, as well as extraction concessions for semi-industrial and artisanal mining. By March 2014, 674 exploration permits and twelve extraction concessions had been granted for industrial mining, covering more than 40 per cent of the total area of the country (Harris/Miller 2015: 15-17; MME 2014: 32). In the first quarter of 2015 alone, three extraction concessions were added to this number (Décret No. 2015/074, 2015/090 and 2015/227). The share of the mining sector in GDP increased from 0.9 per cent in 2008 to 13.1 per cent in 2012 (AfDB et al. 2014: 4). Since 2009, gold has been Burkina Faso's most important export product; previously it was cotton. Seventy-one per cent of the total export value and 16 per cent of tax revenues are derived from gold mining (IMF 2014: 22). The attractiveness of the Burkina Faso mining sector for multinational companies was due, among other things, to the relatively low taxes in international terms. Until its adjustment in June 2015, the corporate tax rate for the mining sector was set at 20 per cent of a company's income; this was lower than in other sectors and considerably lower than in most other African states (compared to, for instance, 30 per cent in Sierra Leone and Tanzania, and 35 per cent in Ghana (KPMG 2016)). On 26 June 2015, the government approved a further reform of the mining law. Particularly contested among businesses, government authorities and civil society organisations was a passage stipulating a compulsory payment to be made by mining companies to a fund for communal development. Non-governmental organisations demanded between one and five per cent of the turnover of industrial mining, while the mining companies declared themselves prepared to pay a maximum of 0.25 per cent. In the end, a compromise of one per cent was reached. From the point of view of the mining companies, the conditions for investment in industrial mining have become much less attractive since the reform of the mining law. It is presently an open question whether the law will be revised and changed yet again under the newly elected government (national elections were held on 29 November 2015).

Civil society organisations, the state and mining companies

Until now there has been little systematic nationwide mobilisation in Burkina Faso related to the expansion of industrial mining by social movements and their organisations. This

can be explained by the lack of a traditional mining industry in the country. Furthermore, the mines lie predominantly in peripheral rural regions, while social movements are anchored above all in the urban milieu of university and secondary school students and employees in the formal sector. Their agenda in recent years has been dominated primarily by issues such as education, freedom of the press and assembly, democratic elections, and the struggle against impunity (Engels 2015a).

This is currently changing with the expansion of industrial mining, which has rapidly gained economic and political importance at the national level. For example, the country's largest human rights organisation is planning its first campaign on mining issues, and a nationwide youth organisation is preparing a networking project for informal artisanal miners. These movement organisations address their demands to the national government, which in their opinion is responsible for guaranteeing that the profits from resource exploitation remain in the country and benefit the population. In order to lend greater weight to their demands, movement organisations engage in both educational work and media campaigns at the national level. At the same time, they lobby pan-African and international human rights organisations, networks and intergovernmental organisations. Associations that are active nationwide carry out organisational work at the local level in the mining regions². Representatives of human rights organisations, for instance, carry out advisory work and lobbying at the local level in order to improve and assert the rights of affected villagers in the case of resettlement and appropriation³.

Lobbying by NGOs such as the developmental NGO *Organisation pour le Renforcement des Capacités de Développement* (ORCADE) and the journalist network *Réseau africain de journalistes pour l'intégrité et la transparence du Burkina Faso* (RAJIT-BF) played a major role in pushing through the establishment of the communal development fund and the compulsory one per cent payment by mining companies. These collective actors represent the relatively well organised and institutionalised segments of civil society, and they deploy the typical repertoires of such groups: lobbying and advocacy work, information and media campaigns, petitions and the like. By contrast, local land users—namely subsistence farmers, pastoralists, and artisanal miners—are not engaged with topics such as the communal development fund and the reform of the mining law.

Trade unions and mining companies

Since there is no tradition of industrial mining in Burkina Faso, there are no strong, influential, politically important mining unions within the trade union federations. The

² Interviews, human rights and youth organisations, Ouagadougou, 6 March 2015; Houndé, 12 March 2015; Boudry, 15 March 2015.

³ Interviews, trade unions and human rights organisations, Houndé, 12 March 2015.

Burkinabe trade union landscape is characterised by unions with particular ideological or party political links according to the French model: they claim to have a general political mandate and their activities always include political and economic issues beyond those of labour relations. In Burkina Faso, trade unions were major actors in the protests for democratisation in the late 1980s and against the effects of structural adjustment programs (the privatisation of state mining companies, staff reductions in public services, cutbacks in education and health, increases in the cost of living) in the 1990s (Engels 2015b). The mining sector did not feature prominently in these struggles, however; apart from the Poura mine, there was no industrial mining in Burkina Faso at the time, and then as now there were practically no attempts by the trade unions to organise the informal artisanal mining sector.

The workforces in the industrial mines that have been established since the mid-2000s are highly organised in trade unions. Yet industrial trade unions do not play a particularly important role in Burkina Faso due to the structure of the country's economy. In many of the industrial mining projects, there have been labour struggles in recent years, primarily over wages and working hours. One example is the strike against unpaid overtime and for a change in the regulation of working hours in the open-pit gold mine Essakane, owned by the Canadian firm IAMGOLD (International African Mining Gold Corporation), in the province of Oudalan in the north-east of the country that took place from 13 to 16 December 2011. Although the strike, carried out by the trade union *Syndicat National des Travailleurs des Mines et Carrières du Burkina*, was announced and carried out in accordance with national law, as the strikers themselves explained in interviews, the company dismissed 77 employees as a result. On 10 March 2015, the Labour Court decided that the dismissals were lawful; the trade union announced that it would appeal (CNTB 2015)⁴.

“Wild” strikes against the regulation of working hours took place in May 2011 and December 2014 in the Belahouro mine, which is run by the British group Avocet Mining PLC and is located about 220 kilometres north of Ouagadougou (Sinare et al. 2015). In the Bissa Gold mine, which is run by the Amsterdam based company Nordgold, at Kongoussi, about 85 kilometres north of Ouagadougou, there was an extensive strike on 1 November 2014, in which around 90 per cent of the workforce participated. The strikers demanded wage increases and long-term contracts, the conclusion of labour contracts directly with the operating company Bissa Gold and not with intermediate personnel firms, changes in the working schedule (from a fourteen-day cycle of working days and days off to a seven-day cycle) and the admission of trade union committees.

⁴ Interviews, trade union representatives and dismissed workers, Ouagadougou, 6 March 2015.

Artisanal and industrial mining

Disputes between artisanal miners and both government and private security forces occur frequently in the Burkinabe mining regions. They often escalate when artisanal miners are evicted from land formerly used for artisanal mining or when its use is restricted in favour of semi-industrial or industrial mining. As soon as an exploration permit or a mining concession has been granted for an area, the company holding the concession has the right to assert its exclusive claim to the land vis-à-vis the artisanal miners, if necessary by physical violence on the part of private or government security forces. In practice, the use of this option by mining companies varies: some tolerate artisanal mining under certain conditions, while in other cases artisanal mining areas have been evicted by force⁵. The best known example of a confrontation between artisanal miners and security forces is the conflict concerning a concession area of the Burkinabe company SOMIKA (*Société Minière Kindo Adama*) in the province of Yagha close to the border with Niger. In 2006, the company was granted a mining concession for an area in which artisanal mining was already taking place. Safeguarded by units of the national police (the “counterinsurgency unit” *Compagnie Républicaine de Sécurité*, CRS), SOMIKA asserted its claim to the area and the gold reserves to be found there. Critics accuse both the company and the private and government security forces of driving artisanal miners from land that did not fall under SOMIKA’s concession, of threatening and intimidating them, and of enforcing the exclusive purchase by SOMIKA of the gold mined by the artisans at prices far below the market level (ODJ 2014). On 30 October 2014, the protests against SOMIKA in Yagha escalated, and in the struggles between the protestors, private security forces and the CRS, five young demonstrators were shot and killed.

The timing of this escalation was anything but random: on the same day, the national parliament voted to pass a constitutional amendment intended to allow the former president, Blaise Compaoré, to run for another term in office. Thousands of people demonstrated against the amendment in the capital city Ouagadougou. Observers saw the confrontation in Yagha as mirroring the conflicts at the national level: from the perspective of the artisanal miners, SOMIKA’s owner, Adama Kindo, represented the powerful elite close to Blaise Compaoré that controlled both the economy and politics⁶. Most of the protestors in Yagha were young and economically marginalised people trying to make a living in the informal sector, who saw no prospects for themselves in a state that had been controlled by the same powerful elites for decades. The conflict between them on the one

⁵ Interviews, non-governmental organisations, Houndé, 12 March 2015; mining companies, Ouagadougou, 18 March 2015.

⁶ Interviews, non-governmental organisations, Ouagadougou, 4 March 2015; human rights organisations, trade unions and a youth association, Ouagadougou, 6 March 2015; Ministry of Mining, Ouagadougou, 10 March 2015; non-governmental organisation, Houndé, 12 March 2015.

side and SOMIKA and the state security forces on the other is a case in point for weakly represented social groups who do not have any effective institutional means at their disposal and, as a consequence, rely on unconventional and confrontational repertoires of contention such as unannounced demonstrations and riots.

Conclusion

The expansion of industrial mining in sub-Saharan Africa does not take place on “unused” land. Existing land usages impact the conflicts that take place when a company is granted a concession for the exploration or mining of subsoil resources. This is also reflected in the collective actors involved (initiatives by villagers, organisations of resource users, pastoralists, artisanal miners, etc.). Especially relevant here is when land is used for artisanal mining purposes. Empirical research reveals, furthermore, that the “old” line of conflict between labour and capital in the mining sector has not lost its importance.

The examples presented in this paper demonstrate the range of the repertoires of contention deployed in mining conflicts, which vary depending on the actors involved. On the one hand, activities by protesting actors are not limited to the demonstrations and roadblocks that receive a great deal of the attention in reports by the media, NGOs and researchers, but also include lobbying and media campaigns as well as daily information and consultation work in the affected communities and the provision of support in administrative and legal proceedings. On the other hand, groups with weak institutional representation, such as those working in the informal sector, are precisely those that frequently resort to confrontational tactics and less conventional repertoires of contention, such as riots and sabotage, because they have no effective access to institutionalised channels for the articulation of their interests.

The typology suggested in this chapter distinguishes three types of mining conflicts along the lines of actor constellations: conflicts between civil society organisations on the one hand and the state and mining companies on the other; conflicts between trade unions and mining companies; and conflicts between artisanal miners and mining companies. These different actors have different means at their disposal to engage in conflict, and thus rely on different repertoires of contention when engaging in collective conflicts. This actor-centred perspective directs our attention to the question of which actors choose, and/or are able to choose, which repertoires of contention. It outlines how varied, numerous and heterogeneous the actors involved in mining conflicts are. These conflicts do not take place only between the state and mining companies on the one hand and “local communities” on the other, since the line of conflict between artisanal miners and industrial mining companies also plays an essential role, and is evidence of the heterogeneity

of local communities. Artisanal miners are members of these local communities, as are the workers in the industrial mines. As a rule, there are individuals and groups within the communities who profit from the establishment or the further existence of a mine, just as there are those who are particularly affected by the negative consequences. The state is also not a homogeneous actor, and in many cases different state actors (for example, representatives of different departments, different political orientations or different levels of the administration) are on opposite sides in conflicts over the expansion of mining.

The typological differentiation presented here serves to reduce complex empirical phenomena to certain aspects that are central for understanding them, and in this way enables us to describe and analyse them systematically. It thus helps to reveal differences and similarities across all cases. In combination with the analysis of the specific characteristics of the individual cases, finally, reliable statements can be made with regard to the causes, courses and transformative potential of mining conflicts.

The empirical evidence presented in this paper outlines that actor constellations in conflicts over mining vary depending on previous land uses and on the historical context of the mining sector in each respective case. In states with a long tradition of industrial mining and strong trade unions in the sector, conflicts emerge between workers and companies. In contrast, where many people traditionally rely on artisanal mining for their livelihoods, conflicts occur between them and actors from industrial and semi-industrial mining. In many cases, conflicts are rooted in the manifold parallel and overlapping existing forms of land use that are not or only partly acknowledged by the state and mining companies. As a consequence, compensation and access to consultation or participation in the processes of awarding concessions are granted only to certain groups of land users. The means of conflict action essentially depend on the actor constellations. Different actors, depending on their degree of institutionalisation, organisational power, and access to institutions and the arena of decision making, have different repertoires of contention at their disposal: from participation and consultation rights, to petitions, lobbying and information campaigns, to strikes, demonstrations, riots and sabotage.

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