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## Mining activities and environmental protection in Madagascar

In Madagascar, a big island of 587 000 km<sup>2</sup> in the Indian Ocean famous for its exceptional biodiversity and for its subsoil wealth in minerals, more than 6 million hectares nowadays are classified as protected areas for nature conservation. Yet, mining areas are also numerous and expanding. These two kinds of spaces are sometimes close or superimposed.

From a few facts and examples, this article highlights situations where these interests clash, the way in which the conflicts have been managed by the Malagasy decision makers and by their discussion partners. This reflection focuses on the consequences of these management processes on the local communities.

In the cycle of a mining project, according to the Malagasy regulation, the delivery of an environmental permit should take place between the delivery of the research and the exploitation permits. This environmental permit is complemented by terms and conditions related to the environmental management plan of the mining project.

### **The critical issues at stake**

So far, the National Office for the Environment (ONE, for its acronym in French), which is responsible for granting the environmental permits, has not published any information concerning the refusal of an environmental permit requested by a mining company.

Currently, in the South-West of Madagascar, the environmental permit given by ONE to the **Toliara Sands Project** is a hot issue. This is because its main shareholder, the Australian company World Titanium Resources Ltd, obtained an exploitation permit in 2012 without the environmental permit required by national legislation, and during the period of the Transitional Government (2009-2014). The Transitional Government was not allowed to make such a long-term decision. Moreover, the road construction for transporting the extracted ilmenite to the harbour will surely lead to the clearing of the Mikea forest, a protected area where the Mikea people entirely depend on harvesting, hunting and using the forest resources for their living.

The world known native artist from the region, Theo Rakotovao, is the president of the young association MA.ZO.TO. The association was created in October 2014 by the representatives of communities affected by the Toliara Sands Project and their allies, to defend and claim their economic, social and cultural rights. They work together with the association of Masikoro people, a group of herders from the area. These associations resisted the environmental permit of the Toliara Sands project during the public consultations held since October 2014, and expressed their refusal in order to protect the existing biodiversity, beauty, culture, natural resources and most importantly, the

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livelihoods of the inhabitants (1). The environmental and social impacts of ilmenite extraction are already known and widely publicized through a documentary entitled “I want my part of the land - Madagascar” (*Je veux ma part de terre – Madagascar*) describing the realities for communities in the QIT Madagascar Minerals (QMM) Rio Tinto mining area in the South-East of Madagascar. In spite of this strong resistance, the Toliara Sands project obtained the environmental permit in June 2015.

During a conference followed by a debate in Paris, two of the MA.ZO.TO. association Board members stated that in terms of environmental protection in Madagascar, “the key stakeholders apply double standards. When small-scale farmers use slash and burn practices and sell charcoal in order to survive, they [stakeholders] say that the forest is protected, but when multinational companies destroy hundreds of hectares of forests for their mining activities, the forests are no longer protected”. In this specific case, the NGO WWF, which had managed the conservation of nature in the Toliara region for many years and lectured everybody to protect forests, moved away from the protected area to leave the ground free for the Toliara Sands Project (2).

Moreover, in the North-West of Madagascar, a German company named **Tantalus Rare Earths** received a mining concession of 300 km<sup>2</sup> on the Ampasindava peninsula, for rare earths exploration. This company also obtained the exploitation permit during the Transition Government period. In 2012, the company signed a letter of intent for a technical cooperation with the French chemical company Rhodia (3) and more recently, a ten-year off-take contract with the German industrial group ThyssenKrupp (4). International media often write about the success in Tantalus’ fundraising to support its project (5).

Does Tantalus dare going ahead with such commitments because it has already secured informal commitment for the extraction activities from the decision makers, no matter the risks for the environment? Yet the photographs of rare earth exploitation sites in China show the extreme seriousness of the environmental damages caused by rare earths extraction and provide a basis for major concern about the future activities of this company.

In fact, a protected area has been created on the Ampasindava peninsula. The Natural Protected Area Ampasindava-Galoko-Kalobinono 2015-2020 development and management plan, which describes forests and other natural resources in the area, mentions the risks provoked by “an industrial mining project” without naming neither the company name nor the products concerned (6).

The international NGO Missouri Botanical Garden Madagascar is in charge of this protected area, which is supposed to exist on the basis of a pacific coexistence with the mining company. But how can there be such co-existence without grave impact on the protected area in the face of differing interests? Local community groups have expressed their fear about the loss of their land and harvests.

A dramatic event occurred in the Western region of Madagascar, where an iron extraction project operated by a Chinese company known as Madagascar Wuhan Iron and Steel Corporation, **WISCO**, had led to launch an alert in 2012 (7): the building of the road and harbor constitutes a high risk of destruction to the National Park of Baly bay (8) in Soalala. Local communities were especially concerned by the issue as several rivers flowing to the neighbouring villages originate from inside the park. The discussions that took place between the nature conservation NGO managing the park and the defenders of the company’s interests were not published. In December 2014, the Malagasy media reported a fire, probably an arson that lasted for nine days and destroyed 220 hectares of the national park (9). Would the fire have resolved a part of the problem? Did the investigations on this fire end up in the identification and sanctioning of the culprits and persons behind them?

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## Mining companies in charge of biodiversity management and protection?

In the Eastern region, the company **Ambatovy**, a joint-venture between the Canadian companies Sherritt and SNC-Lavalin, Japanese Sumitomo Co and South-Korean Korea Resources Co, extracts nickel and cobalt since 2013. Ambatovy won the “Nedbank Capital Sustainable Business Award” in 2014 in the category “Resources and Non Renewable Energy”, due to its Biodiversity Program in Madagascar. (10) Some Malagasy civil society organizations mentioned the example of this company to argue that the transfer of the protected area management to mining companies by the State is inappropriate due to a critical issue linked to watercress growers. The peasants who grow watercress depend on access to a small river that runs through the protected area managed by the Ambatovy company. Three of them were arrested and charged with having introduced a new species to the protected area. These people and their families have grown watercress in this river for decades. The court decision freed the three men from jail, while the forty families that used to grow watercress in this river were no longer allowed to continue and were provided with compensation of unknown amounts (11).

The Qit Madagascar Minerals (**QMM**) company is extracting ilmenite in the South-East of Madagascar since 2009. The Anglo-Australian multinational Rio Tinto is 80% shareholder of QMM and 20% of the shares are held by the Malagasy state. The whole area containing ilmenite covers 4 000 hectares but the land area assigned to QMM-Rio Tinto is more important as a part of it has been dedicated to nature conservation. Investigations from the field resulted in a document entitled “The mining-conservation nexus Rio Tinto. Development ‘gifts’ and contested compensation in Madagascar” (12), where the author writes that access to land connects the apparently disparate domains of nature conservation and mining extraction. The QMM company has also been exploiting ilmenite from the mining site of Mandena while extraction at the Petriky and Sainte Luce sites seems to have been postponed due to the current low price of ilmenite on the global market. All three sites were declared protected areas in May 2015, i.e. well after QMM had received its mining concessions covering these areas. In Mandena, local communities had already lost access to the area when mining started. But at the Petriky and Sainte Luce sites, mining has not yet commenced, and thus the area should remain available for local use. Declaring the sites as protected areas facilitated already restricting access for community use even without any active mining being undertaken.

### Final remarks

These cases are examples of the issues around mining activities and environment protection in Madagascar. A few companies have started extraction without any environmental permit. The weakness of capacities and means of the Malagasy government and state institutions to appropriately assess the environmental impacts constitutes one of the reasons that led the civil society organizations and other structures to demand the Malagasy government to hold on any new grant of mining exploitation permit, in order to take time to improve the mining regulation in the Malagasy nation interests.

As research in the field has shown, restricting local communities' access to protected areas does not stop deforestation and may increase poverty in some places. Assessments are being implemented about the different kinds of forest and natural resources management, including different methods of financialization of nature applied in Madagascar.

The will of the Malagasy government and decision makers to protect the rights and interests of the local communities when discussing with the mining and multinational companies remains a major issue to be discussed too.

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