



MRM SHOULD FOCUS ON DIALOGUE AND INCLUSION

Fight against illegal ruby mining through arrests and convictions can lead to the radicalization of young people

- The persistence of illegal mining in the area under concession to Montepuez Ruby Mining (MRM) reveals that the problem will not be solved only through police operations and/or judicial processes. In fact, solutions that involve the use of security forces and the deprivation of liberty can, on the one hand, negatively affect relations between the concessionaire and local communities and, on the other, lead to the radicalization of young people involved in illegal ruby mining.



- Security operations and judicial processes should be complemented by concrete initiatives for frank and open dialogue involving MRM, the local authorities and the communities living in the surroundings of the mining concession. Only by engaging in dialogue with local communities will the concessionaire be able to obtain the “social license” to continue mining the Namanhumbir ruby mine without incidents of illegal mining.

Through an April 13 press release, Montepuez Ruby Mining - a subsidiary of British Gemfield that explores one of the largest ruby deposits in the world - reported that the Judicial Court of Montepuez District has convicted several people for the crimes of trespassing, attempted illegal mining and illegal mining in the area under concession to the company.

The statement highlights the conviction of two defendants, namely Mbonda Macesse, sentenced to four (4) years in prison and six (6) months fine; and Manuel Pedro, sentenced to four (4) years in prison and eight (8) months fine. The abstract penal framework for this type of crime is one to five years in prison and a fine of up to two years, which means that the defendants Mbonda Macesse and Manuel Pedro were sentenced to close to the maximum penalty.

Montepuez Ruby Mining notes that the sentences show that the judicial authorities at district, provincial and national level are taking the issue of illegal mining in Mozambique seriously, given the damage it causes to the national economy and the local social tissue. “Montepuez Ruby Mining will continue to work closely with the authorities to ensure that those found engaging in illegal ruby mining in its concession are dealt with in accordance with the law.”

The company says it is concerned about the increasing number of incidents, attacks and deaths involving illegal miners in its concession. This is, in Montepuez Ruby Mining’s words, a situation that also leaves local communities concerned, as their villages are under pressure due to the influx of illegal miners, both domestic and foreign. “The unsafe practices of illegal miners, who are usually supervised or coerced by illegal

gemstone smuggling syndicates funded by foreign traders operating in the region, continue to result in the unnecessary loss of life.”

According to the statement, Montepuez Ruby Mining has been carrying out ongoing communication activities to warn of the dangers of illegal mining, as well as raise awareness in nearby communities (where illegal miners temporarily take shelter) about the dangers of illegal mining. “These incidents have been brought to the attention of the authorities, both at the provincial and national level, in the hope that more proactive measures will be taken against those who finance, facilitate and encourage the illegal trade in Mozambican rubies, harming Mozambique and its people as a result of the loss of life and deprivation of much-needed tax revenues from mineral resources.”

In addition to the sentences, illegal mining in the area under concession to Montepuez Ruby Mining has resulted in the deaths of dozens of people involved. For example, in February 2019 at least 10 people died following the collapse of an artisanal ruby mine in Namanhumbir, Montepuez District¹. In February 2020, 11 people (10 Mozambicans and one foreigner) were buried to death when they practiced illegal mining in the Montepuez Ruby Mining concession².

The deaths of people involved in illegal mining within the Montepuez Ruby Mining concession continued in 2021. In the first half of the year, the company counted eight people who died while practicing illegal mining in Namanhumbir³. In March 2017, the authorities carried out a mega operation against illegal ruby mining in Namanhumbir and resulted in the eviction of hundreds of domestic and foreign “garimpeiros” operating in the area⁴.

¹ <https://portaldogoverno.gov.mz/por/Imprensa/Noticias/Desabamento-de-mina-artesanal-de-rubi-faz-10-mortos-em-Cabo-Delgado>

² <https://www.jornalnoticias.co.mz/nacional/exploracao-ilegal-de-rubis-onze-garimpeiros-morrem-soterrados-em-namanhumbir/>

³ <https://www.cartamz.com/index.php/sociedade/item/8060-mrm-reporta-mais-uma-morte-na-sua-mina-em-namanhumbir>

⁴ <https://www.voaportugues.com/a/ataques-em-cabo-delgado-com-novo-elemento-garimpeiros-ilegais/4934431.html>



But the operation was marred by complaints and allegations of human rights violations and abuses committed by police officers of the Republic of Mozambique (PRM) and private security companies hired by the concessionaire of the Namanhumbir ruby mine, Montepuez Ruby Mining. Physical torture, sexual violations, destruction of houses, people buried alive, arbitrary arrests - were the main complaints filed by communities living near the concession⁵.

However, the persistence of illegal mining involving young people from Cabo Delgado and beyond reveals that the problem will not be solved only with police operations and/or judicial processes. In fact, the focus on solutions that involve the use of security force and the deprivation of freedom may, on the one hand, negatively affect relations between the concessionaire and local communities and, on the other hand, lead to the radicalization of young people involved in illegal mining.

In fact, most of the people involved in illegal ruby mining operations are marginalized young people, without vocational training and deprived of economic opportunities, who find in this artisanal activity a source of livelihood.

Investing in their repression and imprisonment can contribute to the creation of a sense of revolt, thus increasing the risks of vulnerability to recruitment by extremist groups that carry out attacks in northern Cabo Delgado.

Therefore, CDD argues that security operations and judicial processes should be complemented with concrete initiatives for frank and open dialogue involving Montepuez Ruby Mining, local authorities and the communities living near the ruby mining concession. Only by engaging in dialogue with local communities will the concessionaire be able to obtain the "social license" to continue mining the Namanhumbir ruby mine.

In addition to dialogue, corporate social responsibility actions are needed to build a sense of socioeconomic inclusion among the families living in Namanhumbir. When communities begin to feel the benefits of ruby mining they will be more proactive in preventing and fighting against illegal mining.

Montepuez Ruby Mining Limitada is 75% owned by the British multinational Gemfields and 25% by Mwirity Limitada, a company linked to the Frelimo political elite. Its operations be-

⁵ <https://www.opais.co.mz/namanhumbir-denuncia-graves-violacoes-de-direitos-humanos/>

gan in 2012 and at the moment the company employs around 1,400 workers, mostly nationals. The Montepuez mine supplies the world market with over half of the quality rubies, and

pays over 100 million in tax revenue to the government and over 1% of the revenue is allocated to establish community and conservation projects ⁶.

⁶ <https://gemfields.com/about/our-mines-and-brands/montepuez-ruby-mine/>



EDITORIAL INFORMATION

Property: CDD – Centro para Democracia e Desenvolvimento
Director: Prof. Adriano Nuvunga
Program Coordinator: Prof. Domingos do Rosário
Deputy Program Coordinator: Américo Maluana
Editor: Emídio Beula
Author: Emídio Beula
Technical team: Emídio Beúla; Leonel Sapite (Nampula); Abdul Gafur Monteiro Tavares (Cabo Delgado); Evaristo Lucas (Niassa)
Layout: CDD

Address:
Rua Dar-Es-Salaam Nº 279, Bairro da Sommerschild, Cidade de Maputo.
Telephone: +258 21 085 797

 CDD_moz
E-mail: info@cddmoz.org
Website: <http://www.cddmoz.org>

Partners:



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Embaixada da Suíça em Moçambique