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Government controlled diamond mining in Marange masking resource leakages and human rights abuse

On 22 January 2019 around 01 00 hours 3 uniformed members of the Zimbabwe National Army (ZNA) armed with AK 47 rifles led 49 diamond panners into Portal (A) of Zimbabwe Consolidated Diamond Company (ZCDC) and looted about 1 tonne of diamond ore. The soldiers disarmed and assaulted 3 security guards namely Moyo Mostead aged 23 (ID 50-145812 R26), Liberty Mbundinga aged 34 (ID 75 356694 Z83) and Sibangane Bandera aged 52 (ID 32 081638 V32). The soldiers then force marched ZCDC guards away from the mine where they handed their weapons back and set them free. An alerted ZCDC reaction team tracked the armed soldiers and their band and exchanged fire with them resulting in the death of one artisanal panner, William Mwedzi aged 37.

Soldiers and security guards operating in Marange are competing forces in illegal diamond digging and smuggling activities. These forces have largely enjoyed government protection for all violent crimes committed on citizens since government entry in Marange diamond mining in 2009. Government complicit in opaque diamond practices has been the major reason for its failure to protect human rights. On January 15 2019, 15 ZNA soldiers, 8 of them in uniform and armed with AK 47 rifles besieged Portal B of ZCDC and held security guards at gun point before looting diamond ore. They made an attempt on the diamond vault the following day. The Minister of Mines made a statement acknowledging the incident but denied that soldiers were involved. He further argued that the security of the diamond fields in Marange “were of the highest standards” and fully compliant to Kimberly Process Certification requirements. The former Chief Executive Officer (CEO) for ZCDC and the ZNA refused to comment on the diamond heist. Incidences of diamond looting involving state security operatives in Marange diamond fields are rampant but concealed by government.

Government declared Chiadzwa diamond fields in Marange a protected area under Protected Places and Areas Act (PPAA) (Chapter 11.12). The act empowers government to control the movement and conduct of people in protected areas. The police have to seek for permission from the Assistant Commissioner (ASCOM) in charge of operations in order to investigate crimes committed by members of the security forces deployed in the area. As a result, the delivery of justice on cases committed by security forces and state entities

has been hard to come. Members of the community cannot easily access justice to all forms of harassment, murder, assault and sexual abuse perpetrated by security operatives in the protected areas.

Government agencies like the Environment Management Agency (EMA) and Parliament have also faced resistance from state security operatives whilst trying to conduct oversight on diamond mining operations controlled by government in the area.

Sources at ZCDC claimed that Zimbabwe lost close to US\$17million in potential diamond revenues to illicit financial outflows at ZCDC between 2018 and 2019. The sources allege that the 450 tonnes per hour (TPH) plant that was commissioned by President Mnangagwa in December 2018 was operating at less than 30% capacity in 2019. They alleged that ZCDC mining executives connived with a South African Company called Bond to supply reconditioned materials for the plant instead of new ones, at inflated prices.

According to sources, Bond won the tender to supply brand new equipment for the entire plant. From an initial plant price of US\$10 million it is alleged that ZCDC ended up paying up to US\$27 million to refurbish the plant in 2019. Despite the huge amounts allegedly externalised through Bond, the tertiary crushing unit and the X-ray Transmission (XRT) machines had not been delivered by the greater part of 2019. Consequently, ZCDC was not in a position to meet the 3.1 million carats production target expected from a fully operational 450 TPH plant in 2019. Due to reduced production, ZCDC could not pay workers in time in 2019. Below budget production at ZCDC also reduced potential revenues to fiscus. The company could not also meet development targets for communities in Marange in 2019. In May 2019, Government fired the Morris Mpofu led mining executive at ZCDC over allegations of corruption and rampant abuse of office. Morris Mpofu was subsequently arrested for criminal abuse of office. Morris Mpofu's only crime according to the state was that he recommended an ex-convict diamond dealer to buy diamonds from Minerals Marketing Corporation of Zimbabwe (MMCZ). In January 2020 the state withdrew charges against Mpofu after it failed to gather evidence against him.

In September 2018 President Mnangagwa announced 7 policy proposals to enhance transparency and accountability in natural resource governance. The President made the announcement in his legislative agenda for the 9th parliament of Zimbabwe. However, none of the proposals announced were tabled in Parliament in 2019. Parliament set 31 October 2019 as deadline for the minister of mines to bring the Mines and Minerals Amendment Bill (MMAB) to parliament. The bill is still being attended to by the deputy attorney general a year and three months after President Mnangagwa withheld his assent to the bill. Government also promised to introduce a diamond policy to empower local communities through regularising artisanal diamond mining. The President

assured local communities that the law will oblige mining entities to remit revenues directly to host communities. The promise has not been fulfilled. Meanwhile the magnitude of poverty and destruction in mining communities have reached alarming levels. Marange has been worst affected.