



WOMEN IN ACTION ON MINING IN ASIA

WAMA NEWSLETTER

In Part I of this eight issue newsletter we had summarized relevant COP26 outcomes. On Oct 21 and 22, 2021 2nd Asia-Pacific gathering event was organised where peoples affected by mining and extractive industries - women, youth, indigenous peoples, farmers, fishers, forest-dependent peoples, human rights defenders and stewards of nature and the environment - across the Asia-Pacific region belonging to over 200 organisations and over 11 countries came together to share experiences and work on advocacy strategies. Many of our WAMA members were actively involved in organising the event at different levels from start to end.

In this part II of the newsletter, we want to contextualize the stories and experiences that came to light in the 2nd Asia Pacific Gathering and provide a background analysis of the concerns raised.

HIGHLIGHTS

Chinese investments in the mineral sector

Stories from the Ground

Events and Updates

Reports

Chinese investments in the mineral sector

One of the important themes identified from the experiences shared in the 2nd AP Gathering is 'the Chinese companies' mineral investments in the participating nations.' Many Chinese overseas mineral projects reportedly have negative social, economic and environmental impact on the local communities and how the Civil Society Organisations (CSOs) have been struggling to make these Chinese companies accountable for their adverse impacts.

The Prebisch-Singer hypothesis suggests that the value of primary commodities cannot win over manufactured products overtime in terms of trade. China has been investing in strategic natural resources and mineral assets in many countries from the early 2000s as part of its '**Go Out**' policy, focusing on securing natural resources to make up for its depleting and insufficient resources, playing a key role in global supply chain and expanding political influence. It currently plays a key role in the supply chain of renewable technologies and consequently investing in lithium, cobalt, nickel, etc. resources. It is the largest importer of copper, aluminium and iron. It's Belt and Road Initiative (BRI) encourages more investments overseas.

There are numerous studies focussing on Chinese investment in the mineral sector in other countries focussing on energy security, energy cooperation, etc. but there is a dearth of studies focusing on social and environmental impacts of such projects and reception of such projects by the locals of the respective countries. In this newsletter we will briefly analyse some of the disputed projects in the host countries.

Characteristics of Overseas Chinese Investments

- Chinese firms **do not operate in isolation and are generally joint ventures** with either the local companies from the host country or other Multinational Corporations. Since they are all joint ventures, the Chinese companies negotiate with the concerned stakeholders including the local communities through their relationships with the state authorities of the host countries. They do not directly interfere with the local power structures. In that way they **evade accountability**.
- The firms have invested in the mineral assets abroad **without conducting a comprehensive pre-investment analysis** of the social and environmental risks associated.
 - For example: **Weda Bay Nickel Project**, Indonesia (Associated Chinese Firm: **Tsingshan Group**). The project investment was finalised in 2014 and the mining operations started in October 2019. But as early as 2013, 'The Non-judicial Human Rights Redress Mechanisms Project' presented an interim report in which it was highlighted that
 - *"...the ethnic Sawai and Tobles Dalam Communities affected by the PT Weda Bay Nickel Project have not, to date, had their meaningful 'Free and Prior Informed Consent' respected as required by international human rights standards. The project has lead to the loss of access to forest and agricultural land they have cultivated for generations."*
- **Involvement of Chinese State Owned Corporations (SOEs)** in a significant number of projects. This gives them a leverage in terms of **securing finance from the Chinese State Owned Banks**.
 - For example:
 - **Ramu Nico, Nickel Project** in Papua New Guinea is funded by China Exim Bank
 - **Morowali Industrial Project, Nickel** mining, Indonesia - funded by China Development Bank, China ASEAN Fund, China Exim Bank, Bank of China and Industrial and Commercial Bank of China
 - **Dairi Prima Minerals**, Zinc Mining, Indonesia is funded by Postal Savings Bank of China

Characteristics of Overseas Chinese Investments

- Limited information is available about many of their projects - there is **lack of disclosure about the project financing, monitoring and supervision.**
- Chinese companies have **invested in various infrastructure** and other industrial development projects of host countries **in exchange for mineral resources as part of their bilateral agreements.** For example: The Sicomines Deal in Democratic Republic of Congo. These bilateral agreements serve to protect their problematic mineral investments.
- **China's double standards in mine safety regulations:** In March 2020, the Chinese government announced new safety guidelines in the backdrop of the Corrego do Feijao collapse in Brazil. The guidelines included establishing buffer zones with residential areas, capping the height and number of trailing dams, etc. But China's mining safety regulations do not apply to Chinese-owned mines overseas.
 - For Example: **Dairi Prima Minerals - Zinc Mining Project, Indonesia.** The Sopokomil village is situated within 400 metres from the planned tailings dam site, whereas China's mine safety guideline specifies at least 1 km residential bufferzone.
- **Community struggles and mobilisation:** The extractive projects often lead to community protests, which sometimes turned violent, as seen in many projects discussed in the newsletter. There are also instances where community mobilisation was the only effective tool in demanding accountability from the mining companies.
 - For example: Ramu Nico Mine - Nickel Sulphate plant in Papua New Guinea was opposed for decades for its risks posed to marine life by the project waste treatment - deep sea tailing disposal (DTSD). A lawsuit has been filed against the Chinese company in February 2020, supported by a coalition of 5000 protesting villagers to stop dumping mine waste into the ocean.

(DTSD also threatens the biodiversity Morowali and Obi island waters in Indonesia, the Coral triangle area which contains the highest coral reef diversity in the world due to the Nickel smelter plants).

Chinese investments in the mineral sector

Indonesia is one of the top exporters of Nickel in the world and almost 90 % of its exports went to China. China imported close to 33 % of its nickel demand from Indonesia. In 2014 Indonesia banned its export of Nickel ores as part of its policy to encourage investment to capture the global supply chain of nickel from extraction to production of electric vehicles. This triggered Chinese enterprises directly investing in the nickel processing plants in Indonesia. China has invested in 3 nickel smelters of Indonesia:

1. **Obi island**
2. **Weda Industrial Project**
3. **Morowali Industrial Project**

Chinese investments in nickel processing in Indonesia has created a situation of oligopsony where Indonesia's domestic mining companies now have to compete for access to smelting firms which rely on the backing of Chinese capital in the form of joint ventures.

The following section gives a brief overview of 4 Chinese companies involved in extractive projects in Myanmar, Papua New Guinea and Indonesia.

Chinese Company	Mining Project	Joint Venture Partner	Country
Zijin Mining Group	Porgera Gold Mine	Barrick Gold Corporation (Canada Based Multinational Mining Company)	Papua New Guinea
Tsingshan Group	The Morowali industrial project (Nickel Smelter)	PT Bintang Delapan Investments (Local Indonesian Mining Firm)	Indonesia
	Weda Bay Industrial Project (Nickel Smelter)	Eramet (French Multinational Mining Company)	
Wanbao Mining Copper Limited	Letpadaung copper mine	Military-backed Myanmar Economic Holdings Limited (MEHL)	Myanmar
China Nonferrous Metal Industry	Dairi Prima Mineral, Zinc mining	Bumi Resources Minerals, a subsidiary of Indonesian coal mining giant 'Bumi Resources'	Indonesia

Zijin Mining Group Company Limited is a multinational mining company headquartered in Mainland China. Until recently, it owned close to 50% stake in **Porgera Gold Mine** operating in Papua New Guinea along with **Barrick Gold Corporation (part of Barrick (Niugini) Limited)**. The mine is operated by **Porgera Joint Venture (PJV)** along with **Mineral Resources Enga (MRE)**. The company is one of China's largest gold, copper and zinc producers. Zijin Mining has come under environmental controversies many times. In 2010 it was forced to shut down its copper plant in Shanghang, Fujian province, China after a **2.4 million gallon toxic spill contaminated the local river and poisoned 2,000 metric tons of fish**. The accident was said to be as major as the industrial disaster BP deepwater oil spill in Mexico, considered to be the **largest marine oil spill in the history of the petroleum industry**.

Chinese investments in the mineral sector

Porgera Gold Mine

Human Rights violations in the Porgera Gold Mine is one of the issues highlighted in the 2nd AP gathering.

1990 - Mine operation Began

2011 - Human Rights Watch Report

- Report on the pollution caused by the discharge of mine liquid waste into a nearby river
- Violent abuses against illegal miners, extra judicial killings
- Sexual violence committed by Barrick's security personnel

2011 to 2013 - Barrick Grievance Redressal

- The grievance redressal mechanism conceived to hear the sexual abuse victims was criticised for its ineffectiveness

2015 - Zijin Mining's entry

- Zijin Mining acquires 47.5% of PJV (50% of BNL)

2018 - Business for Social Responsibility (BSR) Report

- Study commissioned by BNL to help rightsholders in Porgera receive effective remedy for harms they have endured in relation to the mine's operations.
- Report highlighted the backlog of more than 940 cases of unlawful killings, environment violations, health and land disputes.

2020 - Cancellation of License Renewal

- Government of PNG denied an application from Zijin's joint venture to extend its mining lease, citing environmental damage and resettlement issues. Zijin threatened PNG government that it could damage bilateral relations.

2021 - Porgera gold mine is on track to resume operations

- Papua New Guinea (PNG) government and Barrick Niugini Limited (BNL) agreed on a partnership for its future ownership and operation.

PJV Previous Agreement

95 % ----- Barrick Niugini Limited (BNL)
■ [50 % Barrick Gold Corporation + 50 % Zijin Mining]

05 % ----- PNG Stakeholders
■ [Landowners + Government]

PJV New Agreement

49 % ----- Barrick Niugini Limited (BNL)
■ [50 % Barrick Gold Corporation + 50 % Zijin Mining]

51 % ----- PNG Stakeholders
■ [Landowners + Government]

Chinese investments in the mineral sector

Tsingshan Group

The company has ventured with the local mining firm **PT Bintang Delapan Investments** for nickel mining since 2009 in Indonesia - The **Morowali industrial project**.

Tsingshan and **Eramet**, a French mining firm has formed a joint venture in the case of **Weda Industrial Park**.

Tsingshan and Bintang Delapan also established the **Sulawesi Mineral Investments (SMI)**, the extraction arm of Morowali Project

The projects along with the **Obi Island project** (which is also a joint venture between a Chinese firm Ningbo Lygend Mining Co Ltd and Indonesian Harita Group) has submitted permit requests to dispose 31 million tonnes of mine waste into the Coral Triangle using submarine tailings disposal so far. The Coral Triangle is a marine area including the waters of Indonesia, Malaysia, the Philippines, Papua New Guinea, Timor Leste and Solomon Islands.

In **February 2021** the Indonesian government announced that it would no longer permit new mining projects to dump **mine waste in the ocean** however within 3 days into the announcement it passed a regulation (**Government Regulation No. 22 Year 2021**) allowing submarine tailings disposal.

The Morowali Industrial Project is **funded** by

- Chinese Development Bank
- China ASEAN Fund
- China Exim Bank
- Bank of China
- Commercial Bank of China (ICBC)

In **April 2020**, a letter sent to Chinese authorities raised concerns that Tsingshan and its partners had started construction works despite knowing that the environmental analysis, feasibility studies, and other project documents were outdated.

Chinese investments in the mineral sector

Wanbao Mining Copper Limited

China has been Myanmar's important investor and trading partner for many years because of the military rule and western sanctions on trade. The change of government in 2011 tried to balance the Chinese influence by engaging with the local communities and civil society groups who have long been voicing their opposition against the Chinese investments. This manifested in a drop in Chinese investments in Myanmar in the fiscal year 2012 to 13.

Letpadaung copper mine in the northwest of Myanmar has been jointly owned by **Wanbao Mining Copper Limited** - a company owned by the **Chinese SOE Norinco Group** and the **military-backed Myanmar Economic Holdings Limited (MEHL)**. The mine has been the site of contentious protest over the years. The villagers, activists and various international groups have been opposing mining in the area over various issues including flawed land acquisition process, unfair compensation scheme, coerced displacement of villagers without consultation, contamination of farm lands due to a **sulphuric acid plant on the mine's property** leading to children being born blind. The government has resorted to violent means to silence the protests leading to the setting up of a Parliamentary investigation commission to investigate the larger problems at the mine (Letpadaung Taung Investigation Commission). The commission report recognised that the mine had not met international environmental and social standards and it did not fairly compensate the villagers. But the commission did not recommend closing the mine. In December 2014, the police opened fire on the protesting villagers.

A renewed agreement was drawn and land compensation for the villagers started in **January 2021**. But Wanbao's support for community projects still has a long way to go to reverse the past damages and rebuild trust. This project has led to Myanmar locals becoming very apprehensive of any Chinese investment in their region. According to civil society groups in the region Wanbao was dismissive of outstanding problems affecting the most vulnerable members of the local community.

China Nonferrous Metal Industry

Dairi Prima Mineral project is a **zinc** mining project involving the extraction of the 'Anjung Hitam' deposit of **Sopokomil** area - a mountainous forest area of North Sumatra, Indonesia. It is for the commercial extraction of mainly Zinc along with Lead and Silver as by-products. It is a joint venture between **Beijing based mining conglomerate China Nonferrous Metal Industry (NFC)** and **PT Bumi Resources Minerals**, a subsidiary of Indonesian coal mining giant 'Bumi Resources'. NFC was first involved as a contractor in 2014, then agreed to buy and distribute most of the mine's output, and finally acquired a majority stake in the project in October 2018.

Project Financing

The investigation into the project's investment indicated the **indirect link** between Dairi Prima and the **International Finance Corporation (IFC) (the private lending arm of the World Bank Group)**, through IFC's equity investment in a Chinese bank that has provided several general purpose loans to NFC, could be indirectly financing the Dairi Prima project. The project was also supported by the **Postal Savings Bank of China** which had given a loan that contravened the IFC's environmental safety standards and was investigated by the IFC in 2020. As of **January 2022**, PT Bumi Resources owes PT Aneka Mines (ANTM) US\$ 31.4 million a debt incurred from the total purchase price of 20% of ANTM shares in PT Dairi Prima Mineral.

Environmental Concerns

The proposed site of the tailings dam they've planned to build would be situated in one of the most earthquake prone regions in the world. According to a scientific study, if an earthquake were to occur in the region, it would unleash more than 1 million tons of mud and toxic waste into the Sopokomil village which is situated within 400 metres of the site; which does not follow the mine safety guidelines issued by the Chinese government in March 2020. The area is also biodiversity rich and home to critically endangered orangutans.

The Indonesia hubs narrated the problems of residents of the village in 2nd AP gathering. They said they require all the help needed to close down the waste pit (tailings dam) of PT Dairi Prima company.

The major themes that arose out of the stories from the ground and experiences shared in the 2nd AP Gathering were:

- **Pandemic impact on Human Rights and Human Rights Defenders in extractive industries**
- **Criminalisation of Environmental Defenders**
- **Post-pandemic economic recovery reforms of each country in the mining sector**
- **Chinese investments in the mineral sector of the region**
- **Climate solutions driven mineral investments**

The following section discusses some of the issues and concerns raised in the 2nd AP Gathering.

2nd Asia-Pacific Gathering on Human Rights and Extractives Action Statement | November 16, 2021

We are peoples affected by mining and extractive industries across the Asia-Pacific region. Coming from different communities and from assorted and rich ecosystems, we had once lived comfortably from the bounties of nature. We are women, youth, indigenous peoples, farmers, fishers, forest-dependent peoples. We are human rights defenders and stewards of nature ... [Read more](#)

Women's Ecological Justice Campaigns - Community Narratives (from 2nd AP Gathering)

Challenges and Difficulties

1. Due to restrictions citizens are being left out and discriminated against, as a result of limiting their rights of freedom of expression and association.
2. National NGOs, experts, do not have access to legal advice, and are unable to support each other.
3. The media does not reach the local area and locals are unable to reach the capital city, and it is not able to bring the issue to the attention of the society and get support.
4. Citizens are denied the opportunity to express their will, defend their interests, demand accountability and responsibility from the politicians
5. Law on Infringements, and the COVID-era legislations have pushed families to the brink of poverty, and further instilled fear in people. Media coverage of illness and/or death lead to fines, and criminal prosecution according to the above laws.
6. Although the Law on Human Rights Defenders has been implemented, women's HRD activities are not protected due to the lack of knowledge of law enforcement officers.
7. Citizens' and herders' access to complaints, grievances, and judicial protection is limited, and it is unclear when they will recover.
8. The right of citizens of the mining zone to live in a healthy and safe environment and to be protected from natural disturbances has been completely violated, and the government has completely abandoned its duty to protect human rights from the private sector.

(inputs from Gobi Network voiced in the AP gathering)

Revival of Coal Mining - Post Pandemic Recovery

Mongolia has over 10 % of the world's coal reserves and it has high quality coking coal reserves making it one of the largest exporters of coal. In 2019 it produced 57.129 million tonnes which is the highest. It was reduced to 43.079 million tonnes in 2020 due to restrictions in mining operations during COVID. Due to the increase in COVID-19 cases and China imposing strict restrictions on the number of trucks permitted across borders, there were temporary suspensions of major mining operations till second quarter of 2021. Recently for post covid economic recovery the restrictions have been eased. With China's looming power crisis and it being Mongolia's largest customer of coal the mining operations are expected to revive in full speed. In October 2020 Chinese state owned companies were ordered to stop importing Australian coal and compensate for its short fall with other players - especially Mongolia, Russia and Indonesia. Mongolian coal exports to China had grown exponentially post ban on Australian coal and 13.7 % year on year increase in China's coking coal imports from Mongolia.

Oyu Tolgoi Mine

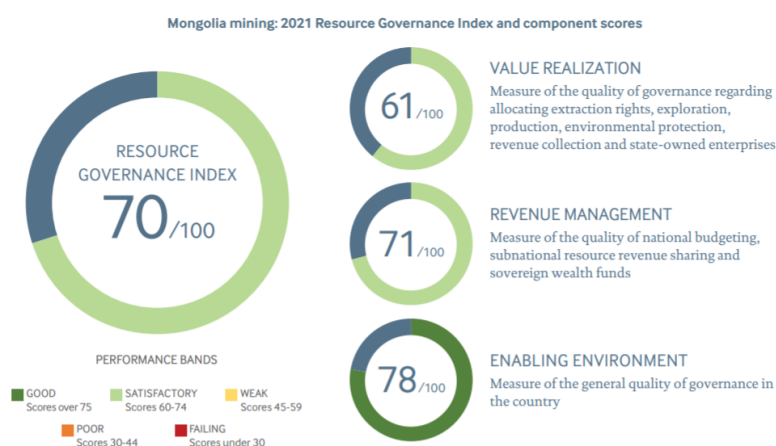
- A combined open pit and underground copper mining project in Khanbogd sum within the south Gobi Desert
- Largest financial undertaking in Mongolia's history
- Oyu Tolgoi is expected to produce 110 to 150 thousand tonnes of copper and 115 to 165 thousand ounces of gold in concentrates in **2022** from processing of open pit and underground development material as well as stockpiles.
- Oyu Tolgoi is jointly owned by the government of Mongolia, which has **34% ownership**, and Turquoise Hill Resources, which owns **66%**. Rio Tinto owns **50.8%** of Turquoise Hill Resources and manages the operation on behalf of the owners.
- The report by the Independent Consult Group (ICG) highlighted mismanagement on part of Rio Tinto in early **October 2021** following which tensions arose between Rio Tinto and Mongolian government
- In **December 2021**, Rio Tinto agreed to write off the debt, conduct an independent audit into the financing of the project's underground expansion and improve governance.
- On **December 22, 2021** the Mongolian government passed a Draft resolution to increase benefits to Mongolia
- On **January 11, 2022** traditional herders from Khanbogd, Mongolia, held a demonstration at the gates of the Rio-Tinto controlled Oyu Tolgoi copper-gold mine. They demanded that the International Finance Corporation (the private finance arm of the World Bank) stop its financing until Oyu Tolgoi takes measures to bring the much-touted Tripartite Council (TPC) into compliance with its Charter. The TPC is supposed to ensure that members of communities affected by the mine, as well as the company and government bodies, get a say in how mining operations are run.
- On **January 25, 2022** Oyu Tolgoi underground mining operations commenced, as announced by the Prime Minister of Mongolia L.Oyun-Erdene and CEO of Rio Tinto Jakob Stausholm

Apart from forced relocation, loss of livelihood, inadequate compensation and resettlement issues, the mine operations has also lead to the depletion of water resources and fragmented the pasture lands over the years.

2021 Resource Governance Index

The [2021 Resource Governance Index Report](#) for Mongolia published by the Natural Resource Governance Institute in December 2021 highlighted the following problems with its governance of mineral resources:

- There are **no legal requirements for publication of contracts or information about the beneficial owners** of extractive companies. There is an absence of key data and information disclosures in the mining sector
- The **government portals do not contain the Environment Impact Assessments (EIAs)** that are done for the mining license applications as per the requirement of the law. Social impact assessments and Environment Mitigation plans are also not disclosed
- **Future Heritage Fund** - which has been established with the amended 2016 mining law for the efficient use of the accumulated mining reserves, has not been put into use till date as a corporation body to manage the fund has not been created yet. (The Ministry of Mining and Heavy Industry plans to draft a new law on the National Wealth Fund and it has been in the discussion in parliament as on date.)
- Though there is a strong push for the **digitisation** of data to maintain transparency and accountability w.r.t mining sector there are **several gaps** like
 - No centralised consolidated portal related to reserves, production and exports
 - No statistical information on production and exports published
 - Limited download functionality - users cannot download geospatial data
- Mongolia's mining sector is **heavily dependent on state owned enterprises (SOEs)**. According to 'Glass Account Law' the mining corporations should disclose all financial transactions and the government should hold the corporations accountable for transparency in the management of resource revenues. But SOEs do not disclose any financial information and since they themselves are state-owned, the government holding them accountable becomes redundant.



Source: [RGI Report](#)

Mongolia has been one of the main destinations targeted by China's 'Go Out' policy. Chinese investments in Mongolia take a special frame of reference when analysed as being part of the China-Mongolia-Russia Economic corridor.

Ecological Impact of Mining in the China-Mongolia-Russia economic corridor

A study on ecological aspects of mining enterprises in the areas of China-Mongolia-Russia economic corridor summarises that,

- The most **serious disturbance of the geological environment is associated with open-cast mining.**
- Placer gold mining in the areas causes irreversible damage changes in floodplain ecosystems in the river channels (as observed in the valleys of the Tuul river and its tributaries). More than twenty tracts detected were disturbed by gold mining. The **most affected areas (experimentally measured) of Mongolia**
 - **Mogochinskii district if Zabaikalskii Krai**
 - **Selenge and Tov aimags**
- The mercury cyanides and explosives by more than 100,000 illegal gold miners in the area is causing serious ecological and social problems
- The study compiled the unevenness and the different levels of technological load on the environment and based on that **the highest affected region was Darkhan-Uul aimag in Mongolia.**
- **Mongolia has the highest disaster risk** - ecological, economic and social - due to the China-Mongolia-Russia high speed railway construction.

Myanmar

The **Kachin Sisters group from Kachin State** highlighted the violence and oppression faced by the indigenous communities and the extent of military power that has been exercised by the military since the coup of **February 2021**. They emphasised the need to pressurise international bodies of UN and ASEAN to alleviate this crisis. They hoped to gain global solidarity through the forum.

Ever since the coup, there has been **indiscriminate and reckless gold mining** at the confluence of the Ayeyawady (Irawaddy) river, a river which is termed as the lifeblood of Myanmar. There were numerous news reports of illegal gold mines operating unchecked in the region since the coup. The locals fear that it would lead to landslides and poison their water sources.

There are also **fears in the region that the China-backed Myitsone Dam Project that was put on hold might be restarted** by the current military regime. The proposed dam construction site of the project (which would have been the fifteenth largest hydroelectric power station in the world, if completed according to plans) is at the confluence of the Mali and N'mai rivers and the source of the Irawaddy river. **The locals resent the Chinese influence in the region.** They regard Irawaddy river as the birthplace of Burmese civilization. Apart from the environmental and social concerns, the project has also been controversial in terms of **uneven share of electricity output between the countries.** The locals feel that this is **exploitation by China, taking advantage of the western economic sanctions** against Myanmar.

Kachin state is also home to the world's largest Jade mine. It produces upward of 70 percent of the world's supply of high-quality jadeite. In December 2021, **China and Myanmar have relaxed the border restrictions and resumed the export of rare earth minerals** to China. Various environment and activist groups have voiced that the profits from heavy rare earth metals mined in the region are helping to strengthen the Junta and should be **legally designated as conflict minerals.** These concerns could be viewed in the backdrop of rise in global demand for rare earth minerals in the development of the electric vehicle industry, one that is perceived as a green investment.

Landslides are frequent in Kachin State due to mining. According to the news reports, as recently as **December 22, 2021**, more than 80 people were reported missing in a **landslide at a Jade mine in Hpakant region.** A lot of **studies** done previously have warned about the poor construction, mismanagement and piling of mine waste as the reason for such landslides rather than monsoon.

Criminalisation of environmental defenders in Pekalongan region

Indonesia hub spoke about the criminalisation of environmental defenders in Pekalongan region, Central Java, Indonesia. The residents of Watusalam village have been bearing the brunt of the impact of mining from 1986.

Pekalongan is one of the main industrial areas in Central Java known for batik production and is severely prone to land subsidence impacts over the years. They said in Indonesia laws are always benefitting people of high profile and criminalising the locals.

"State authorities do not respond to our protests at all. Two of our community members were criminalised and they are in jail. We have so many complaints and it's hard for us to breathe and we suffer from pollution. There is no response at all for our protests. There are no results even if our community members are being criminalised. They always criminalise people like us. We suffer from dizziness and other respiratory diseases due to contamination."

Indonesian Farmers Struggle To Reclaim Their Land

For the people of Indonesia's **Pakel** village, the struggle against land grabbing and environmental destruction has lasted 100 years. And their fight isn't over yet.

---- *The Wire* article published in August 2021, [Link](#)

Pakel Community Struggle

The Indonesia hub also spoke about the struggle of Pakel people over the years for their land rights to the point where at one point the village community is composed only of women because all the men in the community were criminalised and apprehended by the police. The women of the community experienced trauma and people were terrified when they saw police.

Pakel is a village located in Licin district of the Banyuwangi Regency, one of the remote areas of East Java. The village has a population of over 2500 residents. But none of them own any land. Their lands have been managed by a company called **PT Bumi Sari** and **Perhutani**, a state-owned enterprise. Though the village area is declared as a 'forest' in actuality it is full of monoculture plants cultivated by PT Bumi Sari. The company has been managing the residents' land for decades. Due to non-ownership of land, the Pakel residents are not able to engage in agriculture. They are forced to migrate to the cities and work in other sectors.

Pakel Community Struggle - A History

The struggle of the Pakel residents began in **1925**. There were around 2,956 people who were represented by seven people - Doelgani, Karso, Senen, Ngalimun, Martosengari, Radjie Samsi, and Etek, applied for the opening of the Sengkan Kandang and Keseran forests, located in Pakel, Licin, Banyuwangi to the Dutch colonial government. '**Akta 29**' is the latter of rights of their land from the colonial era - which is the basis for their indigenous rights including activities of clearing the forest and planting crops.

After the independence of the Republic of Indonesia, they tried to fight for their rights over forest clearing as stated in the "Akta 1929" with the government of the Republic of Indonesia, through the Regent of Banyuwangi. Until the issuance of the **Basic Agrarian Law 1960**, the land reform effort had not yet reached the Banyuwangi area, but farmers were still waiting and carrying out agricultural activities. In the 1970s, the "Akta 1929" area in Pakel village, which was historically cultivated by farmers, was claimed to belong to the PT Bumi Sari plantation.

In **1999** Pakel residents tried to occupy the land and the "Akta 1929" area. However, on August 17, 1999, in the aftermath of the action they were arrested, imprisoned, and experienced various acts of physical violence from the security forces. Subsequently in **2001**, when Pakel residents reoccupied the "Akta 1929" area, all huts established and plants planted on the land were burned and cleared by the state security apparatus. This event, besides causing material losses, and acts of violence against hundreds of Pakel residents, has also caused most of the young children to drop out of school. Most adult men were also forced to leave Pakel Village to avoid being arrested.

In **2015**, through the Banyuwangi Regent Decree concerning the Establishment and Affirmation of the Pakel Village, Licin District, Banyuwangi District, it was mentioned that the village land did not belong to PT Bumi Sari. Likewise in **2018** it was reiterated that the land of Pakel Village was not included in PT Bumi Sari. However, till date PT Bumi Sari remains in control of land in Pakel Village, covering an area of approximately 300 hectares.

In mid-2018, Pakel residents tried to replant the land with thousands of banana tree trunks. However, in January **2019**, Pakel residents were reported by Djohan Sugondo, owner of PT Bumi Sari, on charges of occupying PT Bumi Sari's land. Pakel residents were considered to have violated Article 107 letter a of Law Number 39 of 2014 concerning Plantations. In the struggle at least, 26 Pakel residents were arrested and summoned for the case.

By **2020**, the situation has increasingly complicated, due to widespread rumors, that PT Bumi Sari has pocketed the latest HGU (right of exploitation of land), which is said to include part of the Pakel Village area as their HGU area (copies of these documents are not owned by residents and the Pakel Village Government). It was this long history of oppression that finally encouraged Pakel residents to decide to re-occupy the land of the "Akta 1929" on **September 24, 2020**, which coincides with National Farmers Day and the day of the enactment of the Agrarian Law (UUPA) 1960 as a last resort to get justice for living space.

Till date the struggle continues. Pakel residents have begun planting in groups on the "Akta 1929" struggle. Most of the members of this struggle are Pakel communities that have no land at all, work as farm laborers and small-scale land tenants. The Agrarian Reform Programme of the Jokowi regime, which was predicted to solve the problem of inequality with land redistribution and agrarian conflicts, is still toothless. [Source](#)

Deucha-Pachami coal mine

West Bengal hub from India narrated the looming fear of eviction of 21,000 in Bengal, out of which out of which over 9000 will be Adivasis from Santhal community

Five gram panchayats of Mohammadbazar block of Birbhum district, West Bengal fear of eviction due to the proposed Deucha-Pachami coal mine which has an estimated reserves of 2.1 billion tonnes of coal. The mine was proposed on December 28, 2020 and was claimed to be the world's second largest coal mine which would occupy about 11,222 acres. Out of this, around 9100 acres of land has been inhabited by the indigenous communities who refused to accept any compensation or rehabilitation and fear the loss of agricultural lands, water bodies, forests and houses due to the coal mine. Around INR 15000 crores (150 billion USD) has been promised to be invested in the project by businesses such as Reliance Group, Adani Group, JSW group, Adventz group and RP-Sanjiv Goenka group. Although there has been a public consultation held by the government, the affected village communities have not attended the meeting. The members present at the meeting are not part of the affected areas.

On December 18, 2021 an anti-land acquisition rally was organised in Deangunj. Till date the protests are going on in one form or the other.

The Philippines hubs voiced their concerns about the following issues:

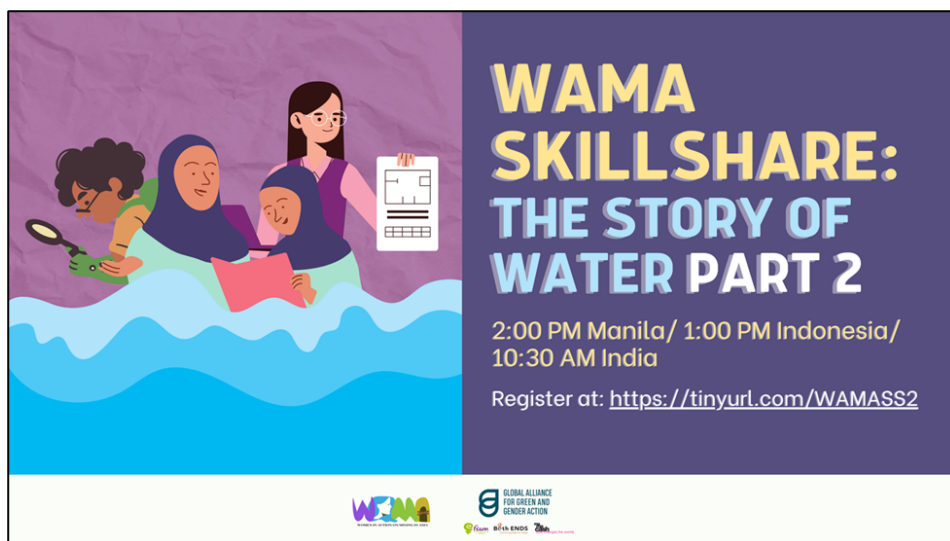
- The Philippines government's recent decision to lift the ban on **open-pit mining**, a method deemed by environmentalists as the most destructive in the name of rekindling the economy post COVID. (The Philippine government has **officially lifted** the four-year-old ban on open-pit mining for copper, gold, silver and complex ores **on December 28, 2021** effectively restarting the **Tampakan** project in South Cotabato.)
- The recent **renewal of the mining license (financial or technical assistance agreement (FTAA) renewal)** of the Australian-Canadian mining firm **OceanaGold** which has been granted renewal of its permit to mine gold and copper in **Didipio** district, Northern Philippines. The indigenous community of Didipio have been resisting mining since the 1990s as it threatens the local water system. Since the residents are not regarded as ancestral domain holders, they are precluded from asserting the need for a free, prior and informed consent (FPIC) process under the Philippine Indigenous Peoples Rights Act.
- Mining malpractices in Manicani Island, Guiuan, Eastern Samar, Marinduque Province, and Rapu-Rapu Albay
- Pushing for the Alternative Minerals Management Bill (AMMB) which aims to ban mining operations in critical areas. These include important watersheds and habitats, key biodiversity areas, small island ecosystems, areas at risk to disaster and climate change impacts, traditional swidden farms, and hunting grounds.
- Offshore and Onshore Mining in the West Philippine Sea.
- The impact of Anti-Terrorism Act, 2020

Philippine groups slam 'cruel Christmas gift' as open-pit mining ban is lifted.

Article published by Mongabay on January 11, 2022, [Link](#)

WAMA Water Skillshare - The Story of Water - Part II - Jan 06, 2022

WAMA started the new year with its Skillshare on water monitoring. The skillshare aimed at understanding how the indigenous communities through their own practices and methods have been monitoring the state of water in their communities, how they are collecting evidence of threats to water, how they are resisting the threats to water, and what actions or support do they need to help them in water monitoring.



18 Days of Activism Photo Challenge for the Women Human Rights Defenders



For 18 days Days of Activism, LILAK and partner indigenous women posted photos of proud Indigenous Women Human Rights Defenders (IWHRDs) starting from the **International Day for the Elimination of Violence Against Women - November 25, 2021**

Universal Periodic Review (UPR)

The Universal Periodic Review (UPR) is a unique process which involves a review of the human rights records of all UN Member States. WAMA member countries, India, Indonesia and the Philippines are due for submission of state reviews in August 2022.

<https://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>

CEDAW-General Recommendations on the rights of Indigenous Women and Girls

The Committee on the Elimination of Discrimination against Women is currently elaborating a General Recommendation on the rights of indigenous women and girls.

The Committee decided to invite all interested parties to submit comments in writing on the "**Draft General Recommendation on IWAG**" (to be indicated in the subject title) to the following email address: ohchr-cedaw@un.org.

The text of the draft General Recommendation on indigenous women and girls can be found here: [English](#) | [Français](#) | [Español](#). Deadline for submission of comments is **31st January 2022**.

- **Private adaptation to climate risks: Evidence from the world's largest mining companies:** Empirically explored by using an original dataset on the adaptation responses of the 37 largest mining companies worldwide, the study conceptualizes private adaptation as consisting of institutional, infrastructural and community-oriented responses to climate risks. It develops a political-economic framework about the drivers of private adaptation, where private adaptation is expected to be shaped by pressures exerted by governments, investors, and civil society actors. The explanatory results indicate that private adaptation is mainly driven by investor pressures, and not domestic regulations and civil society. By implication, companies rarely engage in community-oriented adaptation responses by cooperating with local communities in ways that would benefit these communities. [Elsevier, Climate Risk Management, Volume 35, 2022](#)
- **Coal 2021 - Analysis and forecast to 2024:** The new International Energy Agency annual coal market report provides a reality check on efforts to cut emissions to net zero. Coal 2021 places a special focus on China, whose dominance of coal markets – it is the largest consumer, producer and importer – has no parallel with any other country or any other fuel. India, the second-largest producer, consumer and importer, also receives special attention. Whereas the current speed of policy and market changes is unprecedented, Coal 2021 looks for the underlying indicators which will determine coal market realities through 2024. [Full Report](#)
- **Mining threatens isolated indigenous peoples in the Brazilian Amazon** - A Study published in the journal Global Environmental Change in December 2021 says that isolated peoples in the Brazilian Amazon are threatened by greater than 3600 mining requests. Mining requests significantly overlap the territories of isolated people. Allowing mining in indigenous lands could lead to the extinction of isolated groups. Even though mining is not yet allowed in indigenous lands, mining companies are very active in the search for exploitable areas in these territories. If bill PL191/2020 passes, mining operations would affect more than 10 million hectares in 25 indigenous lands in the Legal Amazon region that are home to 43 isolated groups. [Study](#)
- **Framework for enhancing gender and poverty integration in climate finance:** The UNDP Framework proposes four pillars to be applied across public, innovative and multilateral funding sources to integrate gender equality and poverty reduction in climate finance: governance, resource planning and allocation, accountability, and capacity building. [Report](#)
- **IGF's New Resources Look at ASM Through a Gender Lens:** The report published in January 18, 2022 examines the unique ways the pandemic played out for women in ASM (Artisanal Mining) in Peru, the Philippines, and Zimbabwe. [Link](#)
- **World Inequality Report 2022:** This report presents the most up-to-date synthesis of international research efforts to track global inequalities. The report finds that women make only 35% of global labour incomes and The top 10% of emitters are responsible for close to 50% of all emissions, while the bottom 50% produce 12% of the total among others. [Link](#)

- **Resilience in the Face of COVID-19:** The first volume of a collection of various narratives from around the world based on collaborative writing. Together, they provide us multifaceted expressions of resistance to dominant forms of oppression—to defend local ways of life, strengthen local autonomy, and reconstruct societies. These examples show that COVID-19 and the problems it has highlighted in society (all of which have been around for much longer, of course, but are more sharply visible now) have solutions—already demonstrated by communities, initiatives and civil society. [Report](#)
- **Documentary on Deep Sea Mining** - <https://www.youtube.com/watch?v=O7HZzG1MWeI>
- **Engendering BRICS' South-South Cooperation Agenda: Potential and Pitfalls - By Shubha Chacko:** This paper focuses on one actor - BRICS, its claims on being a vehicle for South-South Cooperation, and examines the gender dimensions of this commitment. The paper ends by sketching some possible ways forward. [Link](#)
- **Women and G20: Inclusion or Exclusion - By Priti Darooka & Kripa Basnyat:** The publication focuses on how inclusive and supportive is the G20 to women's issues in its policy formulations and agendas. This paper broadly examines the G20 policy frameworks and Summit declarations and also critically looks at all other initiatives, tools and mechanisms within G20 and their role in advocating for women's rights and gender equality from a global South perspective. [Link](#)