



All That Glitters is Not Gold: Turmoil in Zimbabwe's Mining Sector

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Principal Findings

What's new? Zimbabwe has seen a surge of attacks by gangs associated with the burgeoning artisanal mining sector, taking hundreds of miners' lives. The police operation to counter this violence led to the arrest of thousands, including perpetrators of violence, but also many who were simply mining without a licence.

Why does it matter? Instability in the gold sector, driven by Zimbabwe's patronage economy, has eroded the gold export revenue that President Emmerson Mnangagwa's government urgently needs to keep the country's struggling economy afloat.

What should be done? Mnangagwa's government should give artisanal mining cooperatives legal standing, pay gold producers at world prices and strengthen mining dispute resolution. Mining companies should cooperate with artisanal miners, whose representative bodies should professionalise. Multilateral organisations and South Africa should include metrics on mining when assessing Zimbabwe's reform.

Executive Summary

Violence has spiked in Zimbabwe's gold mining sector, costing hundreds of people their lives and triggering a police operation that led to the arrest of thousands. Media and government blame artisanal miners, who dig using little mechanisation and often without licences but are the country's main gold producers. Yet the bloodshed is better seen as a symptom of Zimbabwe's flawed centralised gold buying scheme, patronage-based economy and obsolete legal and regulatory system. To avert further turmoil, President Emmerson Mnangagwa's government should give artisanal mining cooperatives legal standing, pay gold producers at world prices, improve mining dispute resolution and bolster law enforcement. Parliament should resume its investigation into gold-sector violence, which it halted due to COVID-19, and widen the focus to include possibly complicit politicians. Mining companies should explore further cooperation with artisanal miners. Multilateral bodies and South Africa should include assessment of the mining sector in their appraisals of Zimbabwean reform.

Development of the gold sector is crucial if Mnangagwa's government is to salvage prospects for Zimbabwe's economic recovery from decades of stagnation under the late President Robert Mugabe. Gold is Zimbabwe's largest foreign exchange earner and the country is desperately short on hard currency. It is also Zimbabwe's only major export commodity that has not dropped radically in price during the world-wide pandemic.

The gold sector is compromised on several fronts, however. First, Zimbabwe's centralised gold buying scheme underpays producers, a practice that encourages smuggling and erodes industrial mining profits, leading companies to close mines. Idle industrial mines become targets for intrusion by artisanal miners. Secondly, such encroachment by artisanal miners, at times with the connivance of actors linked to the ruling Zimbabwe African National Union-Patriotic Front, feeds an elaborate patronage economy, found in many African resource-rich countries, which can give politicians an incentive to protect the status quo. Thirdly, Zimbabwe's legal system is unpredictable: artisanal miners have no collective rights under the law and in case of disputes authorities often apply the law unevenly, failing to hold politically connected parties to account and playing havoc with mining companies.

Gang violence flourishes around gold mining sites where the rule of law is weak. Disputes about mining site ownership are frequent, and police often do not act against intrusions upon mining sites or mining-related violence, particularly when gangs or artisanal miners are politically connected. The security forces recently have mounted major operations to stop killings, but in making arrests they often make no distinction between gang members and non-violent artisanal miners. Their sweeps have likely deprived thousands of miners of their livelihoods without making the sector appreciably safer.

A comparison of three mining sites reveals that political interests often drive violence. Although industrial mining companies and artisanal miners typically attempt to exploit such interests to outmanoeuvre one another, they also show a surprising willingness to work together. At mines where dispute resolution is more predictable,

where artisanal miners are better organised and where financial trouble did not force industrial mines to close, peaceful cooperation occurs.

The Mnangagwa government can take a number of steps to tamp down violence in gold mining areas. It should revise the country's Mines and Minerals Act to give artisanal mining cooperatives legal standing, and adequately fund the ministry of mines unit responsible for the artisanal mining sector. It should work with the Reserve Bank of Zimbabwe to pay gold miners in U.S. dollars at a rate based on world gold prices. It should also try out alternative forms of mining dispute resolution, backed up by reliable police enforcement, and complete the digital cadastre system that demarcates mining claims.

Other actors in Zimbabwe can help. Parliament should resume its enquiry into gold-related violence, suspended due to COVID-19, when it is safe to do so, making sure to look into the role of politicians connected to the ruling party. Mining companies should recognise that their mining operations will almost inevitably stir up tensions with artisanal miners. Rather than playing into Zimbabwe's patronage system, which ultimately benefits neither party, mining companies ought to cooperate with and support artisanal miners' associations, including by granting them mining rights and providing training and resources. Furthermore, companies, as assembled in the Zimbabwe Chamber of Mines, should push the government to give artisanal mining cooperatives legal standing. This measure would help mining companies avoid costly production interruptions, allow them to exploit minerals that are prohibitively expensive to extract by industrial means, and bring companies in line with industry best practices as set out by the Organisation for Economic Co-operation and Development and exemplified by cooperation in other countries.

Influential external actors, particularly the African Peer Review Mechanism (APRM), a continental body that assesses African governments' performance, the International Monetary Fund (IMF) and South Africa, should similarly press the Zimbabwe government to take action. Zimbabwe has recently acceded to the APRM and both parties will negotiate about which sectors to prioritise for a governance quality review. The APRM should push for mining to be one of these sectors, and designate improvements in mining dispute resolution, particularly establishment of a digital cadastre system, reduction of violence and regularisation of gold exports, as benchmarks for Zimbabwe's good governance. The IMF's voice is also important: its assessments of the country's governance can help determine the country's eligibility for financial assistance and debt relief. South Africa, which remains a primary potential source of investment capital in the mining sector and stands to lose from continuing economic crises in Zimbabwe, should similarly push for mining sector reforms.

Absent such steps, further cycles of violence in Zimbabwe's gold mining areas are likely, as is further damage to individual livelihoods and Zimbabwe's struggling economy.

Harare/Nairobi/Brussels, 24 November 2020

All That Glitters is Not Gold: Turmoil in Zimbabwe's Mining Sector

I. Introduction

Over the past year, a wave of violence has rocked Zimbabwe. Armed gangs, alternatively portrayed as consisting of or preying upon small-scale miners, have wreaked deadly havoc, especially in the country's many gold mining areas (see Appendix B for a map of these areas). Civil society organisations rang alarm bells in October 2019, when they recorded over 100 casualties in the space of three months near a single town, though this violence represents only a fraction of the toll around the gold mines dotting Zimbabwe's ten provinces.¹ By year's end, observers were speaking of a "national conflict" and police warning that gang violence threatened the country's stability.² Such talk helped jog the government into action. In early 2020, police moved against the gangs in what, by the official account, was one of the largest such operations in Zimbabwe's history, arresting thousands.

Zimbabwe can ill afford such turmoil, as COVID-19 and the consequent global slowdown deal further blows to its already reeling economy. In 2019, the economy contracted by over 8 per cent, inflation spiked and expected foreign investment did not appear.³ Social and political conditions deteriorated markedly.⁴ As a result, some 90 per cent of Zimbabweans are living in poverty and 60 per cent are considered food-insecure, placing Zimbabwe's food insecurity fourth highest in the world.⁵ This trajectory has continued into 2020, leading regional hegemon South Africa to spell out its concerns that its neighbour is in serious crisis.⁶

¹ "Monthly Monitoring Report", Zimbabwe Peace Project, October 2019; "Mashurugwi may turn into warlords and terrorists – minister", *The Zimbabwe Mail*, 23 November 2019.

² Cyril Zenda, "Who is behind machete killings in Zimbabwe's goldfields?", Fair Planet, 9 December 2020; "Zimbabwe descends into chaos and surges to a civil war without notice", Bulawayo 24, 1 January 2020; "Mashurugwi may turn into warlords and terrorists – minister", op. cit.

³ "Zimbabwe: Staff Report for the 2019 Article IV Consultation", International Monetary Fund (IMF), 12 February 2020.

⁴ "UN envoy: Zimbabwe's economic, political situation deteriorating", Al Jazeera, 27 September 2019; "Zimbabwe's worst economic crisis in more than a decade", *The Economist*, 9 July 2020; "Crisis unfolding in Zimbabwe amid government crackdowns and unrest", News 24, 11 August 2020. The government claims that talk of a crisis is misguided. "There is no crisis in Zimbabwe: govt", ZBC, 14 August 2020.

⁵ "Zimbabweans now living in extreme poverty as economy implodes", Zimbabwe Independent, 13 September 2019; Sikhululekile Mashingaidze, "Zimbabwe: Can South Africa get it right this time?", *All Africa*, 16 September 2020.

⁶ "Top South African minister says crisis in Zimbabwe needs urgent action", Voice of America, 16 August 2020. South Africa shifted its posture toward Zimbabwe in November 2019, acknowledging the interconnection of political and economic crises, although it has yet to make clear policy changes. "Pretoria persists with its softly-softly approach towards Zimbabwe, despite ominous signs", *Daily Maverick*, 3 August 2020.

Gold is central to the economic revival plans of Zimbabwean President Emmerson Mnangagwa, who took over from the ousted Robert Mugabe in 2017. In October 2019, Mnangagwa and Minister of Mines Winston Chitando announced plans to expand the government's gold revenue to \$4 billion per year by 2023, an ambitious fourfold increase in four years.⁷ Since the virus-induced global economic downturn, gold, already Zimbabwe's largest foreign exchange earner, has only grown in importance.⁸ While the prices of the country's other export commodities, such as platinum, nickel and diamonds, have dropped precipitously, the world gold price has soared (see Appendix C), as investors have sought a safe haven during the slowdown.⁹ If Zimbabwe is to be "open for business", as Mnangagwa has repeatedly pledged since taking office, the gold industry in particular must thrive.

The gold sector does not consist exclusively, or even mostly, of big business. Artisanal miners – men and women who mine on their own or in small groups using little or no machinery – and small-scale mining, which involves slightly larger operations with some mechanisation, produce the majority of Zimbabwe's gold.¹⁰ In 2019, artisanal and small-scale miners combined were responsible for 63 per cent of reported gold production, although it is unclear whether artisanal or small-scale mining is the bigger contributor of the two (see Appendix D).¹¹ Amid the collapsing economy, an estimated 1.5 million people have turned to artisanal mining as a safety net. This trend will likely persist as COVID-19 brings additional hardship and spurs urban-rural migration.¹²

Artisanal gold miners play a curious role in Zimbabwe's political economy. On one hand, they are an irritant to the industrial mining companies that hold most of Zimbabwe's gold exploration rights. Their encroachment on industrial mining claims prompts the government to clear them out in mass arrest campaigns. The majority of those picked up in the early 2020 sweep had committed no acts of violence. They were merely mining without a licence or in the possession of tools that artisanal miners commonly possess for their work but that could be used as weapons.¹³

⁷ "The minerals of hope... US\$12bn mining sector target to change the nation's fortunes", *The Herald*, 15 October 2019.

⁸ "Gold deliveries down 15% in H1", *Mining Zimbabwe*, 9 July 2020.

⁹ According to the IMF Primary Commodity Prices database, gold increased in price by 16 per cent between December 2019 and May 2020, while the platinum and nickel prices dropped by 14 per cent and 12 per cent, respectively. Sales of luxury products, including diamonds, are predicted to contract by up to 35 per cent in 2020. "Luxury market to contract up to 35% in 2020 – Bain", *Rapaport News*, 12 May 2020.

¹⁰ Thomas Hentschel, Felix Hruschka and Michael Priester, "Global Report on Artisanal and Small-Scale Mining", *Mining, Minerals and Sustainable Development*, January 2002.

¹¹ Mukasiri Sibanda, "Analysis of new gold buying framework in Zimbabwe with a special emphasis on artisanal and small-scale gold mining", *Zimbabwe Environmental Law Association*, 31 May 2020.

¹² "Zimbabwe: mining houses urged to support artisanal miners", *The Herald*, 3 February 2020; Victor Bhoroma, "Zimbabweans now living in extreme poverty as economy implodes", *Zimbabwe Independent*, 13 September 2019; "EGPS-2 Emergency Reponse Artisanal Mining Communities Impacted by COVID-19", *Extractives Global Programmatic Support*, n.d.

¹³ "Politicians warned over machete gangs", *The Herald*, 6 December 2019; "6000+ artisanal miners arrested", *The Chronicle*, 25 February 2020; Kuda Bwititi and Rudo Mandiro, "All-out war on machete gang violence", *The Sunday Mail*, 19 January 2020.

On the other hand, artisanal miners are an important constituency in Zimbabwe's patronage politics, particularly as practiced by the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF).¹⁴ Several ZANU-PF politicians have been fingered as "patrons" of illegally encroaching artisanal miners, or even machete gangs, and some mobilise such groups against rivals.¹⁵ Some observers contend that "whoever controls the gold, will control and rule Zimbabwe", referring to power struggles between party factions loyal to Mnangagwa, on one side, and his Vice President Constantino Chiwenga, on the other. The latter is seemingly positioning himself to challenge Mnangagwa for ZANU-PF leadership ahead of the 2023 elections, although another, possibly stronger challenger, Foreign Minister Sibusiso Moyo, has also emerged.¹⁶ Though violence in gold mining areas has apparently diminished in 2020 (COVID-19 travel restrictions make it difficult to be sure), there is every reason to believe it will flare up again, especially as elections approach.

Meanwhile, pressure on Mnangagwa to make the broader governance reforms he has promised since assuming power is mounting from outside Zimbabwe.¹⁷ In November 2019, South Africa made statements that blame Zimbabwe's economic malaise on its politics.¹⁸ The African Peer Review Mechanism, Africa's self-assessment tool for good governance, which Zimbabwe laudably joined under Mnangagwa's leadership in early 2020, is unlikely to give the president glowing reviews.¹⁹ The International Monetary Fund (IMF), which holds the key to external financial support, publicly criticised the state's financial links to Kudakwashe "Kuda" Tagwirei, a key ZANU-PF donor and a prominent adviser to both Mnangagwa and Chiwenga.²⁰ A company allegedly owned by Tagwirei, who is now under U.S. sanctions for his alleged complicity in corrupt business dealings with the Zimbabwe government, has rapidly acquired

¹⁴ "Analysis of Risks Contributing to Illicit Financial Flows within Zimbabwe's Mining and Energy Sectors", PACT and UK Aid, December 2018.

¹⁵ "Zimbabwe state spy agency minister implicated in machete violence", *The Zimbabwe Mail*, 25 February 2020; "Ex-Mugabe loyalist and Kasukuwere's brother skins 'Mashurugwi godfather' Mnangagwa", *New Zimbabwe*, 23 January 2020; "Chief Justice Malaba orders the arrest of ZANU-PF stalwart for Gaika mine invasion", *Nehanda Radio*, 6 April 2019; "Why is Zimbabwe doing so little to tackle growing gang violence?", *The Zimbabwe Mail*, 19 February 2020; Sizo Nkala, "Decolonisation, Class Struggles and Economic Empowerment in Post-colonial States: An Appraisal of Zimbabwe's Post-independence Indigenization Project in the Mining Sector", PhD thesis, University of KwaZulu-Natal, May 2019.

¹⁶ "Mnangagwa in deadly gold war with Chiwenga", *Spotlight Zimbabwe*, 21 February 2020.

¹⁷ "Genuine reform culture lacking in Zimbabwe", *Inter Press Service*, 16 January 2020. The EU ambassador to Zimbabwe, Timo Olkkonen, was interviewed saying further reforms are needed to bring the economy back on track and fight corruption. "Zim reforms lethargic", *Zimbabwe Independent*, 16 May 2020.

¹⁸ Crisis Group Africa Briefing N°152, *Four Conflict Prevention Opportunities for South Africa's Foreign Policy*, 27 March 2020. Jonisayi Maromo, "Pandor: Solutions to Zim crisis will come from Zimbabweans but SA ready to help", *IOL News*, 18 November 2019.

¹⁹ Peter Fabricus, "Africa: Zimbabwe signs on to African peer review mechanism", *All Africa*, 10 February 2020.

²⁰ Joseph Cotterill, "IMF warns Zimbabwe over payouts to Trifigura partner", *Financial Times*, 26 September 2019; "IMF Executive Board Concludes 2020 Article IV Consultation with Zimbabwe", press release, International Monetary Fund, 26 February 2020; "Mnangagwa in deadly gold war with Chiwenga", *op. cit.*

gold mining assets and gold buying licences over the last year.²¹ Tagwirei denies owning the company involved.²²

The stakes are high for Mnangagwa and his minister of mines, Chitando. Unless they can improve the economic situation, which requires generating greater revenue from Zimbabwe's gold, they risk being cast aside by their own party.²³ Moreover, Chitando will want to uphold his industry reputation as a capable technocrat.²⁴ Yet gold revenues in the first half of 2020 are already down 13 per cent compared to 2019, despite higher gold prices.²⁵

This report analyses why the destabilisation of Zimbabwe's gold mining sector has resulted in widespread violence. It considers the stories of three mines, Jumbo in Mashonaland Central province, Gaika in Midlands province and Giant in Mashonaland West (see Appendix E), in order to illustrate factors driving conflict and ways to restore calm. The report is based on interviews in Harare and at those three mining sites, with Zimbabwe government officials, representatives of civil society organisations, artisanal miners and mining companies, and others in the gold supply chain. Interviews were supplemented by news reports, legal documents, datasets on violent events and other public information. This report is the second in a series of Crisis Group publications on extractive industries and conflict.²⁶

²¹ "Open for business: Shamva gold mine resumes production", *NewsdzeZimbabwe*, 30 June 2020; Tafara Chiremba, "An Analysis of Freda Rebecca Gold Mine's Gold Buying Licence and the Proposed Partnership with CBZ", Zimbabwe Environmental Law Association, 2 July 2020; "Zimbabwe's Landela agrees to buy state-owned gold mines, seeks more assets", Reuters, 3 July 2020; "Treasury Sanctions Corrupt Zimbabwean Businessman", press release, U.S. Department of the Treasury, 5 August 2020.

²² "I do not own Landela investments: Tagwirei", *NewsdzeZimbabwe*, 21 June 2020.

²³ "For how long can Mnangagwa cling on to power?", Bulawayo 24, 14 June 2020.

²⁴ "Chitando: Mnangagwa's finest appointment might just be his minister of mines", *The Herald*, 13 July 2020.

²⁵ "Gold deliveries down 15% in H1", op. cit.

²⁶ The previous report is Crisis Group Africa Report N°290, *Mineral Concessions: Avoiding Conflict in DR Congo's Mining Heartland*, 30 June 2020. Crisis Group has also addressed conflict issues particular to artisanal gold mining in Latin America Report N°73, *Gold and Grief in Venezuela's Violent South*, 28 February 2019; and Africa Report N°282, *Getting a Grip on Central Sahel's Gold Rush*, 13 November 2019.

II. The Makings of an Unstable System

Several factors contribute to instability in Zimbabwe's gold mining sector. A centralised gold buying scheme depresses government gold revenues, encourages smuggling and contributes to industrial mine closures.²⁷ Idle industrial mines attract artisanal miners, who create revenue that feed elaborate patronage networks.²⁸ The lack of a consistently functioning legal system free from political interference spurs confrontation.²⁹

A. *Pitfalls of a Single Gold Buyer*

All gold producers in Zimbabwe, whether artisanal, small-scale or industrial, must by law sell to the Reserve Bank of Zimbabwe via its subsidiary gold buyer, Fidelity Printers and Refiners (FPR).³⁰ This requirement has several deleterious effects on the gold sector.

The main problem is that FPR underpays and sometimes pays late for gold. The body pays producers partially in U.S. dollars and partially in amounts of Zimbabwe dollars determined by the official exchange rate.³¹ This system, introduced in 2014, aims to save foreign exchange, of which the Reserve Bank is chronically short.³² But in the open market the Zimbabwe dollar is worth less than half its official value. The discrepancy creates a gap between the price FPR pays and the world gold price, which is denominated solely in U.S. dollars (see Appendix F). The price difference has fluctuated in size, since FPR has often changed the share of payments it makes in U.S. dollars, most recently in May 2020. Prior to that date, industrial miners were receiving only 55 per cent of payments in U.S. dollars; they now get 70 per cent, though they continue to complain of being paid late.³³ For their part, artisanal miners receive,

²⁷ Veneranda Langa, "US\$60M gold smuggled to Dubai", *The Standard*, 22 December 2019; "RioZim stops gold production", *The Herald*, 16 June 2020.

²⁸ "Analysis of Risks Contributing to Illicit Financial Flows within Zimbabwe's Mining and Energy Sectors", *op. cit.*

²⁹ Crisis Group interview, Zimbabwe government official, Kwekwe, 18 March 2020; Crisis Group telephone interviews, Zimbabwe government official and former artisanal miners' representative, 17 March 2020; Crisis Group telephone interview, civil society organisation representative, 20 April 2020.

³⁰ FPR can grant licences to buy gold on its behalf to third parties, and it has recently done so, giving a gold buying licence to a company associated with Kuda Tagwirei. Chiremba, "An Analysis of Freda Rebecca Gold Mine's Gold Buying Licence and the Proposed Partnership with CBZ", *op. cit.*

³¹ Zimbabwe's government mandates that FPR pay partially in Zimbabwe dollars in order to retain foreign exchange for imports of essential goods such as medicine and fuel.

³² The Reserve Bank established FPR in a largely unsuccessful attempt to increase official gold production. Zimbabwe's production had fallen below the level needed to maintain its membership in the London Bullion Market Association, which it in turn needs for direct access to a bullion market with better rates. Otherwise, it would have to gain access to this market indirectly by selling to the Rand Refinery of South Africa, which charges a levy. At the time, the Reserve Bank felt that regular, transparent payments to small-scale producers would boost their output. Official production levels have nonetheless remained too low for the Association to readmit Zimbabwe. "Analysis of New Gold Buying Framework in Zimbabwe with a Special Emphasis on Artisanal and Small-scale Gold Mining", Zimbabwe Environmental Lawyers Association, n.d. See also Dumisani Nyoni, "Mining in Zimbabwe in 2020: achievements, the good and the bad, what should be fixed, improved, and recommendations", *Mining Newsweek*, 15 June 2020.

³³ "Zimbabwe gold miners to keep more export earnings in dollars", Reuters, 27 May 2020.

since May 2020, a fixed price per gram of gold exclusively in U.S. dollars, but this price is also considerably lower than the world gold price.³⁴

A policy intended to retain foreign exchange and save the state money has wound up costing it dearly. Before the policy's introduction, between 2014 and 2017, gold deliveries and associated tax revenue increased (see Appendix D). But since FPR started retaining foreign exchange in 2018, the government has lost tax revenue and badly needed foreign exchange due to smuggling (see Appendix G). Estimates suggest that more than \$1.5 billion worth of gold leaves Zimbabwe illegally each year, often ending up in Dubai.³⁵ Some dealers estimate that illegal exports top official deliveries to FPR.³⁶ Even FPR admits that large-scale smuggling exists.³⁷ The fall in official gold deliveries shows no sign of abating, as deliveries to FPR decreased in 2019 and were down 15 per cent in the first half of 2020 (see Appendix D).³⁸

A range of actors are rumoured – though such rumours have not been investigated so cannot be verified – to benefit from gold smuggling. These include senior politicians, ministry officials, mining company employees, individual businessmen and artisanal miners, as well as FPR representatives and law enforcement actors who might be paid to look the other way.³⁹

Moreover, FPR's payment practices have contributed to the shutdown of industrial mining operations, leaving many sites open to artisanal miners' encroachment. Several of Zimbabwe's largest gold producers have halted production at some or all of their mines, citing underpayment as a main reason.⁴⁰ These companies have also started legal proceedings against the Reserve Bank for loss of revenue due to payments partially in Zimbabwe dollars and late payments, which they allege are selective and motivated by corruption.⁴¹ The government has previously announced a "use it or lose

³⁴ Nyoni, "Mining in Zimbabwe in 2020", op. cit.

³⁵ Tendai Sahondo, "Zimbabwe losing gold glimmer to South Africa", Business Connect, 5 December 2019." cites \$2.1bn annually lost to smuggling. "Smuggling: New corruption frontiers", The Independent, 21 June 2019." estimates this amount at \$1.5bn.

³⁶ Crisis Group interview, private gold dealer, Harare, 8 March 2020; Crisis Group telephone interview, Zimbabwe mining expert, 20 April 2020. See also "Zacc wades into gold smuggling", *The Sunday Mail*, 26 January 2020; and Mazhar Farooqui, "How nations profit from Zimbabwe's blood gold", *Gulf News*, 26 May 2020.

³⁷ FPR estimates the total quantity smuggled at \$500 million a year, although this is widely regarded as an underestimate. Marcena Hunter, "Pulling at Golden Webs: Combating Criminal Consortia in the African Artisanal and Small-Scale Gold Mining and Trade Sector", Enhancing Africa's Response to Transnational Organised Crime (ENACT), April 2019.

³⁸ "Gold deliveries down 15% in H1", op. cit.

³⁹ Crisis Group interviews, private gold dealer, Harare, 8 March 2020; civil society organisation representative, Harare, 10 March 2020; mill owner, Kwekwe, 13 March 2020. Crisis Group telephone interviews, Zimbabwe MP, 20 March 2020; mining company representative, 7 May 2020. See also Langa, "US\$60M gold smuggled to Dubai", op. cit.; and "Large-scale gold miners in scam", *The Herald*, 20 November 2018.

⁴⁰ Crisis Group telephone interview, mining company representative, 7 May 2020. See also "RioZim stops gold production", op. cit.; "Metallon's debt-laden Shamva, Mazowe mines put into corporate rescue", NewZWire, 27 February 2020; and Per Chiurayi, "Cautionary Statement", RioZim Limited, 15 June 2020.

⁴¹ "Metallon Corporation Sues the Government of Zimbabwe for US\$132M for Failing to Pay for Gold", Metallon Corporation, 16 May 2019. See also Antony Sguazzin and Loni Prinsloo, "Gold miner sues Zimbabwe central bank for not paying in dollars", News 24, 17 May 2019.

it” policy for inoperative mines: either companies resume mining for ore or forfeit their licence for that mine.⁴² It has yet to apply this policy against a gold producer, though mining companies regard the possibility as leverage over them.⁴³ Artisanal miners, for their part, express frustration at the lack of enforcement of that policy while mines sit idle. They have taken matters into their own hands and (partially) occupied a number of industrial mining sites, some of which were inoperative but others of which were functioning.⁴⁴

B. *Gold and Zimbabwe's Patronage Economy*

Artisanal miners' infringement on industrial mining claims is not an isolated problem but a product of Zimbabwe's wider political economy. Rival factions in the ruling ZANU-PF run extensive patronage networks. Artisanal and industrial miners are both victims of and active participants in this system.⁴⁵

Artisanal miners are linked to the patronage machine primarily through local politicians.⁴⁶ Politicians can extract revenue from artisanal miners by extorting them, protecting them from arrest or helping them navigate government bureaucracy. Others may own mills that process artisanally mined ore or trade in materials, like mercury, that miners need. Still others may “sponsor” artisanal miners, covering their operating costs in exchange for a cut of production.⁴⁷ Prosecutors have accused several ruling-party politicians of encouraging artisanal miners to invade industrial mines. In 2019, a court found former ZANU-PF MP Vongai Mupereri guilty of encouraging artisanal miners to illegally mine on an industrial site, though police have not arrested him and he still holds an important party position.⁴⁸ Another ZANU-PF

⁴² Crisis Group interviews, Zimbabwe government official, civil society organisation representative, Harare, 8 March 2020. See also “Zimbabwe to enforce ‘use it or lose it’ policy for mining assets”, Reuters, 13 November 2019,

⁴³ Crisis Group telephone interview, mining company representative, 18 June 2020.

⁴⁴ The mines in question include Eureka, Gaika, Giant, Geelong, Globe and Phoenix, Jumbo, River, Pickstone Peerless, Tiger Reef, Venice and Wanderer. Crisis Group interviews, artisanal miners' representative, Harare, 9 March 2020; Zimbabwe government official, Kwekwe, 18 March 2020. Ruling in “Lescaut Investments (PVT) LTD and Breckridge Investments (PVT) LTD versus Danangwe District Youth Mining Cooperative Society and Minister of Mines and Mining Development”, High Court of Zimbabwe, 10 July 2018 and 25 July 2018. See also “Venice mine police evict former workers”, *Newsday*, 7 August 2017; “Call for government to intervene in Eureka Gold Mine row”, *The Herald*, 14 March 2018; and Munyaradzi Musiiwa, “Govt temporarily closes Wanderer Mine”, *Mining Technology*, 4 January 2019.

⁴⁵ “Analysis of Risks Contributing to Illicit Financial Flows within Zimbabwe's Mining and Energy Sectors”, op. cit. Confidential report submitted to UK Department for International Development, Zimbabwe Office, 5 March 2015. Showers Mawowa, “The Political Economy of Artisanal and Small-scale Gold Mining in Central Zimbabwe”, *Journal of Southern Africa Studies*, vol. 39, no. 4 (2013).

⁴⁶ “Analysis of Risks Contributing to Illicit Financial Flows within Zimbabwe's Mining and Energy Sectors”, op. cit.

⁴⁷ Crisis Group interviews, artisanal miner, Harare, 11 March 2020; artisanal miner, Chegutu, 12 March 2020; artisanal miners, mill owner, Kwekwe, 13 March 2020; mining company representative, 18 June 2020. Crisis Group telephone interview, artisanal miners' representative, 19 March 2020.

⁴⁸ Crisis Group telephone interview, Zimbabwe journalist, 4 August 2020. See also “Chief Justice Malaba orders the arrest of ZANU-PF stalwart for Gaika mine invasion”, op. cit.; “Ex-Zanu PF Kwekwe MP vows to defy Gaika Mine court ban”, *New Zimbabwe*, 16 March 2019; “Gaika mine eviction lat-

MP, Dexter Nduna, was similarly accused, but denies the charges and the case's status is unclear.⁴⁹ Partly to shield themselves from consequences, local politicians share the revenue they obtain with those above them in the patronage hierarchy.⁵⁰ Opposition politicians, civil society and the media have accused politicians at the highest level of government of being involved, though allegations are unproven.⁵¹

Politicians can also wield their connections to artisanal miners to advance their position in the ever-shifting ZANU-PF party structure.⁵² Artisanal miners form a constituency that politicians can deploy to beef up the numbers attending ZANU-PF rallies or to cast votes for the ruling party in opposition strongholds, in return for tacitly allowing miners to grab valuable mining assets.⁵³ Looking ahead to Zimbabwe's 2023 election, observers worry that Mnangagwa could use machete-bearing miners as an instrument in his power struggle with Chiwenga and Moyo.⁵⁴ In turn, Chiwenga's eagerness to take action against machete gangs has been interpreted as a move to strengthen his position and weaken Mnangagwa's.⁵⁵

Industrial mining is also bound up with Zimbabwe's patronage economy. Mining companies may attempt to use political connections to "move up the queue" in receiving payment from FPR.⁵⁶ Civil society organisations have raised concerns about the concentration of industrial mining assets in the hands of ZANU-PF supporters, particularly Kuda Tagwirei, a party donor and adviser to Mnangagwa whom the U.S. recently put under sanctions.⁵⁷ Landela Mining Ventures, a company allegedly majority-owned by Tagwirei, has in recent months purchased four state-owned gold mines, and one, possibly two, commercially held mines.⁵⁸ Tagwirei denies ownership

est: ZANU PF stalwart Mupereri ignores court order, plots re-invasion", *Zimbabwe Morning Post*, 14 April 2019.

⁴⁹ Blessed Mhlanga, "Zanu-PF MP raises hell over mine", *Newsday*, 25 January 2016; "Chief Justice Malaba orders the arrest of ZANU-PF stalwart for Gaika mine invasion", op. cit.

⁵⁰ Crisis Group interview, civil society organisation representative, Harare, 10 March 2020. Crisis Group telephone interviews, artisanal miners' representative, 19 March 2020; former mining company representative, 7 May 2020; mining company representative, 18 June 2020. "Analysis of Risks Contributing to Illicit Financial Flows within Zimbabwe's Mining and Energy Sectors", op. cit.; Hunter, "Pulling at the Golden Webs", op. cit.

⁵¹ "Zimbabwe – a Mugabe mule gets off lightly", *Global Intelligence File*, 2 August 2013, as made public by WikiLeaks. "Marry Mubaiwa loots US\$100 million cash and gold from General Chiwenga's safe", *The Zimbabwe News Live*, 28 December 2019; "Mnangagwa grabs gold mine", TST News, 11 May 2020.

⁵² "Analysis of Risks Contributing to Illicit Financial Flows within Zimbabwe's Mining and Energy Sectors", op. cit.

⁵³ Crisis Group interviews, artisanal miners, Kwekwe, 13 March 2020; former mining company representative, 16 April 2020. See also confidential report submitted to the UK Department for International Development, op. cit.; and Nkala, "Decolonisation, Class Struggles and Economic Empowerment in Post-colonial States", op. cit.

⁵⁴ "Rule by rivalry", *Africa Confidential*, 16 April 2020.

⁵⁵ Lenah Matenderupi Nhewa, "Is Chiwenga targeting Mnangagwa by vowing to crush Mashurugwi?", *Nehanda Radio*, 4 February 2020.

⁵⁶ Crisis Group telephone interview, mining company representative, 7 May 2020.

⁵⁷ "Zimbabwe's Landela agrees to buy state-owned gold mines, seeks more assets", op. cit.; "Treasury Sanctions Corrupt Zimbabwean Businessman", op. cit.

⁵⁸ "Tagwirei buys more gold assets from Metallon", *Harare Live*, 4 July 2020; "Zimbabwe gold mines lure investor despite economic ruin", *Bloomberg*, 10 July 2020. Landela Mining Ventures is

of Landela.⁵⁹ The company has furthermore received a special permit from FPR to purchase gold on its behalf, prompting concerns that it could use this dispensation to mislabel industrially produced gold as artisanal as a way of evading higher royalties.⁶⁰ The Zimbabwe Anti-Corruption Commission furthermore dismissed a set of corruption allegations against Tagwirei, including unlawfully obtaining mines.⁶¹

The Zimbabwe Miners' Federation (ZMF), the interest organisation representing artisanal, small-scale and medium-scale miners, is also involved in a corruption scandal. Its president, Henrietta Rushwaya, was arrested in October on a smuggling charge, while flying to Dubai with 6kg of gold in her handbag. She says she was transporting the gold for a legal gold buyer.⁶² Just one month earlier, ZMF had received a permit to purchase gold on FPR's behalf.⁶³

Factionalism within ZANU-PF can give competing artisanal and industrial miners an opportunity to change the balance of power at mining sites in their favour. Some industrial sites are home to groups of artisanal miners aligned with different politicians.⁶⁴ Politicians may attempt to undermine one another by calling in police to expel the artisanal miners associated with rivals.⁶⁵ Playing into this dynamic, an industrial mining company that sees artisanal miners infringing upon its site might seek out their patron's political opponents and get them to request such a police intervention.⁶⁶

The presence of artisanal miners at industrial sites provides fodder for myriad forms of petty corruption. Members of the police, army and private security firms commonly ask artisanal miners for bribes to let them into industrial sites that they are deployed to protect.⁶⁷ Some former employees of mining companies help artisanal

controlled by Mauritius-based Sotic International, which has been investing in an array of mining assets in Zimbabwe, from nickel to platinum. "Mnangagwa's adviser's company buys biggest Zimbabwe nickel mine", Bloomberg Quint, 31 October 2019. Details on these companies and their ownership remain elusive.

⁵⁹ "I do not own Landela investments: Tagwirei", *NewsdzeZimbabwe*, 21 June 2020.

⁶⁰ Chiremba, "An Analysis of Freda Rebecca Gold Mine's Gold Buying Licence and the Proposed Partnership with CBZ", op. cit.

⁶¹ The Commission said the allegations against Tagwirei, made by ZANU-PF members whom the party subsequently disciplined and expelled, did not meet the (undisclosed) minimal threshold for investigation. Consequently, it undertook no enquiry. Tim E. Ndoro, "He is innocent: ZACC dismisses Kuda Tagwirei corruption allegations", iHarare, 2 March 2020; "Zanu PF Youths shame Kuda Tagwirei as cartel leader in explosive press conference", iHarare, 3 February 2020.

⁶² Dumisani Nyoni, "Breaking: Henrietta Rushwaya arrested over gold smuggling", News Hawks, 26 October 2020.

⁶³ The case is under investigation. It has not been proven that the gold Rushwaya was carrying was purchased under the ZMF licence. "CBZ partners SMF to support artisanal gold miners", *Mining Index*, 14 October 2020.

⁶⁴ Crisis Group interview, artisanal miner, Harare, 11 March 2020. Crisis Group telephone interview, mining company representative, 18 June 2020.

⁶⁵ Crisis Group telephone interview, mining company representative, 18 June 2020. See also Nkala, "Decolonisation, Class Struggles and Economic Empowerment in Post-colonial States", op. cit.

⁶⁶ Crisis Group interview, artisanal miner, Chegutu, 12 March 2020. Crisis Group telephone interview, mining company representative, 18 June 2020.

⁶⁷ Crisis Group interview, artisanal miner, Harare, 10 March 2020. Crisis Group telephone interviews, member of Zimbabwe security sector, 18 March 2020; artisanal miners' representative, 19 March 2020. Crisis Group interviews, artisanal miners, civil society organisation representative,

miners find the richest deposits or rent them company housing.⁶⁸ Some working in the judicial system, including police, magistrates, prosecutors, clerks and court messengers, take bribes to neglect to arrest artisanal miners operating on industrial sites or to swiftly release those in custody.⁶⁹

These dynamics make things especially difficult for women artisanal miners. Women are easier targets for gangs that rob artisanal miners of their ore.⁷⁰ They also typically have fewer of the resources and connections needed to operate on sites, including industrial mines, with higher ore grades.⁷¹ Whereas men might be able to get their hands on working capital through patronage, women miners consistently stress that they have trouble gaining access to funds. Women typically own too little collateral to allow them to receive loans; married women's collateral is often in the husband's name.⁷² Even a credit facility earmarked to provide women artisanal miners loans so that they can invest to improve their operations is hard to qualify for, given prohibitively strict eligibility criteria.⁷³ Women are thus typically relegated to activities with poor earnings potential, for example illegal panning for alluvial gold in rivers.⁷⁴

C. *A Compromised Legal and Justice System*

The patronage system around gold mining thrives in part because Zimbabwe's Mines and Minerals Act is outdated, and enforcement of laws is often haphazard.⁷⁵ Various legal ambiguities also hinder reforms and dampen prospects of cooperation between industrial and artisanal miners.⁷⁶

Zimbabwe's Mines and Minerals Act dates back to 1961, was last amended in 1996, and makes no mention of artisanal miners or what procedures they could follow to form cooperatives that might hold mining rights. Individuals can hold a mining licence, but they must show an ability to start mining operations of substantial scale. Individual artisanal miners are extremely unlikely to be able to do so, although some small-scale miners can. A bill amending this act was put to parliament under Mugabe in 2015, but the Mnangagwa administration has shelved it, reportedly to focus on what

Kwekwe, 13 March 2020. Crisis Group telephone interview, second civil society organisation representative, 20 April 2020.

⁶⁸ Crisis Group interview, artisanal miner, Harare, 10 March 2020.

⁶⁹ Crisis Group interview, civil society organisation representative, Harare, 10 March 2020. Crisis Group telephone interviews, artisanal miners' representative, 19 March 2020; civil society organisation representative, 20 April 2020.

⁷⁰ Crisis Group interview, women artisanal miners' representative, Harare, 10 March 2020. Crisis Group telephone interview, Zimbabwe government official, 19 March 2020.

⁷¹ Crisis Group interviews, Zimbabwe government official, Harare, 8 March 2020; women artisanal miners' representative, Harare, 10 March 2020. See also "Gender and Corruption in Zimbabwe", Transparency International Zimbabwe, 2019.

⁷² Crisis Group telephone interview, women artisanal miners' representative, 19 March 2020.

⁷³ Crisis Group interview, women artisanal miners' representative, Harare, 10 March 2020. Crisis Group telephone interview, Zimbabwe government official, 19 March 2020.

⁷⁴ Hollaway, "Gold", *op. cit.*

⁷⁵ Crisis Group interview, Zimbabwe government official, Kwekwe, 18 March 2020. Crisis Group telephone interviews, Zimbabwe government official who is also a former artisanal miners' representative, 17 March 2020; representative of civil society organisation, 20 April 2020.

⁷⁶ Crisis Group telephone interview, mining company representative, 18 June 2020.

it sees as higher priorities.⁷⁷ The last iteration of the draft bill does not acknowledge artisanal miners, although it does introduce a new category of “small-scale miners”.⁷⁸ To miners and civil society figures, the lack of mention of artisanal miners, along with the foot dragging, suggests that officials do not wish to amend the act, as they profit from the legal ambiguity around artisanal mining.⁷⁹ No gold policy exists to complement the Mines and Minerals Act, although a draft policy, not yet in force, does call for formalising artisanal mining.⁸⁰

The ambiguity leaves artisanal miners in a precarious position. The government has made intermittent attempts to formalise artisanal mining while stopping short of changing the law.⁸¹ It is possible for artisanal miners to acquire a mining licence, for instance, although the process is laborious and few miners have gone through it.⁸² FPR operates a “no questions asked” buying policy, arguably a step toward decriminalising artisanal mining. But it imposes a five-gram minimum delivery, which is an obstacle for many such miners, and it also allows gold stolen from artisanal miners by gangs or mined by artisanal miners on land licenced to companies to enter the legal supply chain.⁸³ Even modest formalisation efforts are undercut by repression: police have arrested thousands of artisanal miners on charges of illegal mining, at times without regard for any licence that they might have.⁸⁴ Police arrested more than 25,000 artisanal miners between 2006 and 2009, during an operation called “No More Artisanal Mining”, and another 8,000 between March 2019 and February 2020.⁸⁵

The Mines and Minerals Act does make one tacit allowance for usually unlicensed artisanal miners in the country's mining operations. It permits a mining claim holder to “tribute” part of the holdings to a third party. Industrial mining companies will often give artisanal mining cooperatives such tributes in exchange for a fee, where

⁷⁷ Crisis Group telephone interview, Zimbabwe government official who is also a former representative of artisanal miners, 17 March 2020. Silas Nkala, “Expedite Mines and Minerals Amendment Bill”, *NewsDay*, 26 February 2020.

⁷⁸ The latest draft of the Mines and Minerals Amendment Bill allows for a representative of small-scale miners (but not artisanal mining cooperatives) in the Mining Affairs Board and small-scale miners to pay different government-mandated levies and fees than medium or large-scale miners. Although it is possible that in practice, artisanal miners would be considered ‘small-scale miners’ for the purpose of levies and fees, the law does not explicitly include them in this category. The amendment act does mention that syndicates of individuals may hold rights, but this provision appears to apply only to prospecting licences, not to mining licences.

⁷⁹ Suppositions about officials' motives are unproven. Crisis Group telephone interviews, artisanal miners' representative, 19 March 2020; civil society organisation representative, 20 April 2020; mining company representative, 18 June 2020.

⁸⁰ Crisis Group interview, Zimbabwe mining expert, Harare, 10 March 2020. See also “Gold Industry Development Policy and Strategy”, April 2018.

⁸¹ “Report and Analysis of the Mines and Minerals Amendment Bill”, Parliament of Zimbabwe, n.d.

⁸² Mukasiri Sibanda, “No questions asked policy for artisanal miners: a pulse check”, 12 November 2017.

⁸³ Crisis Group interview, mining industry expert, Harare, 10 March 2020. Crisis Group telephone interview, Zimbabwe government official, 21 March 2020. Richard Ncube and Mukasiri Sibanda, “Impact Assessment of Buying Gold on No Questions Asked Basis”, Tax Justice Network Africa, 22 August 2019.

⁸⁴ “Report and Analysis of the Mines and Minerals Amendment Bill”, op. cit.

⁸⁵ Samuel L. Spiegel, “Legacies of a Nationwide Crackdown in Zimbabwe: Operation Chikorokoza Chapera in Gold Mining Communities”, *Journal of Modern African Studies*, vol. 52, no. 4 (2014). “6000+ artisanal miners arrested”, op. cit.

such cooperatives exist.⁸⁶ A tribute arrangement can offer industrial mining companies a way to exploit mines that they cannot profitably work themselves.

But the legal system's unpredictability makes both artisanal and industrial miners reticent about entering into tribute arrangements.⁸⁷ Neither party trusts the authorities to protect its interests in the event of a dispute: even if one party were to obtain a favourable court ruling, that party could not count on it being enforced.⁸⁸ Indeed, it has proven difficult to enforce tribute arrangements in court, even though they are formal contracts.⁸⁹ Moreover, industrial mining companies cannot be certain that police will expel artisanal miners encroaching upon their claims without a tribute arrangement. Nor can they be sure that miners in violation of a tribute agreement, due, for example, to non-payment of fees, will be compelled to leave.⁹⁰ Artisanal miners, for their part, feel that their position is even more tenuous. Tribute arrangements are typically granted for three years, after which the company might not extend the deal, particularly if high-grade ore is discovered. Artisanal miners would then lose any investment they have made in the site.⁹¹

Meanwhile, Zimbabwe has no digitised cadastre system to delimit who has mining rights in which area, contributing to competing claims.⁹² The current cadastre system is paper-based and by most accounts badly organised, leaving open the possibility of error or fraud.⁹³ For example, ministry of mines officials have become embroiled in a "double allocation" scandal, consisting of allegations that they recognised a second claim to an already allocated plot – allowing a second party to mine this plot in contravention of the original plot holder's rights – in exchange for bribes.⁹⁴ Back in 2010,

⁸⁶ Zimbabwe Mines and Minerals Act, chapter 21:05. Crisis Group interviews, artisanal miner, Chegutu, 12 March 2020; former mining company representative, 16 April 2020. Crisis Group telephone interview, mining company representative, 7 May 2020. By contrast, countries like Colombia have worked closely with gold mining companies to promote formalisation of artisanal miners and to codify legal cooperation between local miners and companies. See, for example, "Due Diligence in Colombia's Gold Supply Chain: Gold Mining in Antioquia", Organisation for Economic Co-operation and Development (OECD), 2016.

⁸⁷ Crisis Group interview, artisanal miner, Chegutu, 12 March 2020. Crisis Group telephone interviews, mining company representative, 7 May 2020; mining company representative, 18 June 2020.

⁸⁸ Crisis Group interview with representative of civil society organisation, Harare, 10 March 2020. Crisis Group telephone interviews, artisanal miners' representative, 19 March 2020; civil society organisation representative, 20 April 2020.

⁸⁹ Crisis Group telephone interview, mining company representative, 7 April 2020.

⁹⁰ Order of High Court of Zimbabwe Case no. HC 1237/18, 9 October 2018. Crisis Group telephone interviews, mining company representative, 7 May 2020; mining company representative, 18 June 2020.

⁹¹ Crisis Group telephone interviews, artisanal miners' representative, 19 March 2020; Zimbabwe mining expert, 20 April 2020.

⁹² Crisis Group interview, Zimbabwe mining expert, Harare, 10 March 2020. Crisis Group telephone interview, civil society organisation representative, 20 April 2020.

⁹³ Crisis Group interview, Zimbabwe mining expert, Harare, 10 March 2020. Crisis Group telephone interview, Zimbabwe government official, 18 March 2020.

⁹⁴ The double allocations scandal in essence involves the ministry of mines allegedly taking a bribe to award a second party a claim to an area where someone else already has one. The second party then starts mining on the claim, leaving the first to try enforcing its rights through an uncertain court system. "Mines ministry perm sec sucked in gold mining claims scandal", *Zimbabwe Morning Post*, 16 June 2020. "Gold graft: mines ministry officials fingered in manmade disputes", *Zimba-*

Zimbabwe's auditor general recommended that the ministry ring-fence funds to digitise the cadastre system, and international donors also have been willing to support this project.⁹⁵ Digitisation would not in itself address discrepancies inherited from the paper-based system, but it would give a sense of the scale of such problems and which reforms to pursue to best resolve them.⁹⁶ There has been no progress toward undertaking the task, however, again leading to speculation that some in government prefer legal ambiguity.⁹⁷

Lastly, the legal system frustrates industrial mining companies trying to hold government entities to account, for example for misallocating claims, encouraging artisanal miners to dig at their sites or making late payments for gold deliveries. Several mining companies have taken office holders to court, but these cases commonly peter out without resolution or with paper convictions that leave the principals free to continue the behaviour for which they were convicted.⁹⁸

bwe Morning Post, 18 June 2020. "Mines secretary Onesimo Moyo is fraudulently double allocating mine certificates", *Zimbabwe Morning Post*, 22 June 2020.

⁹⁵ Crisis Group telephone interview, civil society organisation representative, 20 April 2020.

⁹⁶ Crisis Group interview, Zimbabwe mining expert, Harare, 10 March 2020.

⁹⁷ Crisis Group telephone interview, Zimbabwe government official, 18 March 2020.

⁹⁸ "Chief Justice Malaba orders the arrest of ZANU-PF stalwart for Gaika mine invasion", *op. cit.*; Mhlanga, "Zanu-PF MP raises hell over mine", *op. cit.*; "Mines Minister Winston Chitando jailed", *Mining Zimbabwe*, 13 February 2020.

III. The Bitter Fruits of Instability

Instability in Zimbabwe's gold mining sector has repeatedly given rise to intense violence by so-called Mashurugwi, or machete gangs, some of which may have political connections. The latest spike in machete attacks, and the associated media attention, triggered a large police operation culminating in thousands of arrests, including of violent perpetrators but also of people mining without a licence or even some with a licence.

A. A Spike in Machete Gang Violence

Machete gangs are not a new phenomenon in Zimbabwe's mining areas, but they have lately killed in unusually large numbers.⁹⁹ Gangs originated in the late 1990s, when several industrial mines closed, leaving workers unemployed. Many went into agriculture, but around Shurugwi in Midlands province (see Appendix A for a map of Zimbabwe's provinces), where arable land is scarce, jobless miners organised into itinerant groups looking for mineral deposits to explore.¹⁰⁰ Although not all these groups engaged in violence, and not all machete gangs come from Shurugwi, the terms Mashurugwi (or "from Shurugwi") and machete gang have become synonymous.

Around 2006, the diamond mining sector saw a peak in gang-related violence, including confrontations between gangs and state security forces.¹⁰¹ The same year witnessed a police crackdown, ostensibly on gangs in the gold sector.¹⁰² More recently, gold mining areas have again seen a marked increase in machete gang violence. Already in 2017, the Zimbabwe Peace Project, one of Zimbabwe's premier human rights organisations, warned of escalating violence after fifteen died in clashes between gangs and private mine security forces. It has spiralled since.¹⁰³

"Machete gang violence" is an umbrella term for several forms of more or less organised mayhem. At the more organised end of the spectrum, armed gangs take over lucrative mining territory, often industrial mines in disuse. At one mine, the industrial owner found that six such gangs, each sponsored by a different patron, had chased away the artisanal cooperative to which it had tributed the site.¹⁰⁴ Competing gangs at sites fight each other over the pits and shafts promising the highest returns.¹⁰⁵ Such violence can blur the distinction between gangs and ordinarily non-violent artisanal

⁹⁹ Crisis Group interview, artisanal miners' representative, Harare, 9 March 2020; civil society organisation representative, Harare, 10 March 2020. Crisis Group telephone interview, Zimbabwe government official, 17 March 2020.

¹⁰⁰ Tarisai Mudahondo, "The genesis of machete gangs", Bulawayo 24, 17 January 2020.

¹⁰¹ Crisis Group interview, civil society organisation representative, Harare, 10 March 2020. See also Obvious Katsaura, "Violence and the Political Economy of Informal Diamond Mining in Chadzwa, Zimbabwe", *Journal of Sustainable Development in Africa*, vol. 12, no. 6 (2010).

¹⁰² Spiegel, "Legacies of a Nationwide Crackdown in Zimbabwe: Operation Chikorokoza Chapera in Gold Mining Communities", op. cit.

¹⁰³ "Statement: Escalating Violence in Gold Panning Communities", Zimbabwe Peace Project, 15 May 2015.

¹⁰⁴ Crisis Group telephone interview, mining company representative, 7 April 2020.

¹⁰⁵ Crisis Group interview, artisanal miner, Harare, 11 March 2020. See also "Machete war at gold mine... two dead, community project shut down", *The Chronicle*, 7 April 2018; and "Mashurugwi wreaks havoc", *Sunday Mail*, 29 April 2018.

miners armed in self-defence.¹⁰⁶ At the less organised end of the spectrum, gangs simply rob artisanal miners and do not extract ore themselves.¹⁰⁷ Lastly, there is unorganised violence involving gang members and armed artisanal miners, such as deadly bar fights or rapes of women who live near mining sites.¹⁰⁸

It is difficult to determine the number of casualties resulting from these forms of violence, but the death toll over the past year runs into the hundreds. The one publicly available tally is that of the Zimbabwe Peace Project, which recorded 105 casualties between August and October 2019 in just one mining area.¹⁰⁹ Even if more numbers were available, they would likely undercount deaths and injuries, as violent incidents are consistently underreported to the police. Many Zimbabweans see little point in informing the police: according to survey data, it is the least trusted public institution, widely regarded as subordinate to the ZANU-PF.¹¹⁰

B. *Mounting Pressure on the Mnangagwa Government*

Persistent machete gang violence, and security forces' seeming inability to stop it, have given rise to accusations that politicians, including from the ruling party, are behind the gangs. The suspicions – while largely unsubstantiated to date – have led to pressure on the Mnangagwa government to tamp down the attacks.

Several analysts speculate about ties between the gangs and senior ZANU-PF figures.¹¹¹ Opposition MPs took up this line of enquiry, asking questions in parliament about State Security Minister Owen Ncube, whom they allege is a coordinator of machete gangs.¹¹² They have gone so far as to call President Mnangagwa himself the “archbishop of Mashurugwi”.¹¹³ Media question why Mnangagwa was doing so little to tackle – or even condemn – machete gang violence.¹¹⁴ (Ncube and other ZANU-PF

¹⁰⁶ “Zimbabwe: unpacking the emergence and rise of violent criminals in mining”, 263Chat (Harare), 16 January 2020.

¹⁰⁷ “Gold panning in midlands causes surge in violence”, *Zimbabwe Situation*, 14 August 2018. “Machete rampage in Inyathi. One person dead as 50 Mashurugwi attack”, *The Chronicle*, 5 December 2019. “Home affairs minister warns sponsors of machete-wielding gangs”, Pindula, 6 December 2019. “Politicians warned over machete gangs”, *The Herald*, 6 December 2019. “In Zimbabwe, violence follows unregistered gold mines”, *Global Press Journal*, 8 December 2019.

¹⁰⁸ “Army call for ceasefire in machete attacks”, *The Herald*, 22 October 2018. “Zimbabwe: unpacking the emergence and rise of violent criminals in mining”, op. cit.

¹⁰⁹ “Monthly Monitoring Report”, Zimbabwe Peace Project, October 2019.

¹¹⁰ Almost 50 per cent of respondents in the 2017 Afrobarometer survey indicated that they trust the police “not at all” or “just a little”.

¹¹¹ “ZANU PF behind machete wielding miners”, Zimeye, 5 October 2010. “Terror gangs. Fingerprints of elite detectable”, *Newsday*, 12 October 2019. “There are elite people behind the defiance of machete-wielding gangs”, Pindula, 6 December 2019. “Zanu PF top ranking criminals will not order arrests on machete gangs – Mliswa”, *New Zimbabwe*, 27 December 2019.

¹¹² “Zimbabwe state spy agency minister implicated in machete violence”, *The Zimbabwe Mail*, 25 February 2020.

¹¹³ Anna Chibamu, “Zimbabwe: Mnangagwa is archbishop of Mashurugwi – MDC”, *All Africa*, 19 January 2020.

¹¹⁴ Leopold Munhende, “Chiwenga threatens stern action against Mashurugwi”, *New Zimbabwe*, 2 February 2020; Lenah Matenderupi Nhewa, “Is Chiwenga targeting Mnangagwa by vowing to crush Mashurugwi?”, *Nehanda Radio*, 4 February 2020; “Zimbabwe: Govt’s response to machete

officials deny these accusations, saying no evidence backs them up.¹¹⁵) The suspicions extend to Zimbabwe's security forces, whom opposition leaders and media accuse of protecting violent artisanal miners or mining without a licence themselves.¹¹⁶ A police statement confirms that an unknown number of officers have indeed been arrested for illegal gold mining or being part of machete gangs.¹¹⁷ Meanwhile, ZANU-PF media and other outlets turn the allegations around, accusing several opposition parties of gang connections.¹¹⁸

Toward the end of 2019, pressure mounted on the Mnangagwa government to act. Ever more alarmist pieces appeared in the media, claiming that gangs were mining close to Zimbabwe's capital city and contaminating with mercury an adjacent lake that supplies Harare's drinking water.¹¹⁹ An early 2020 article spoke of "civil war" between machete gangs, on one side, and the police and army on the other.¹²⁰ Urged on by opposition MPs, with the support of the ZANU-PF chairman of the Parliamentary Committee on Mining and Mining Development, Zimbabwe's parliament started an enquiry into machete gang violence, which it has since suspended due to COVID-19.¹²¹

C. A Large-scale Police Operation

In the first months of 2020, police launched an operation to curb machete gang violence named Chikorokoza Ngachipere or "No to Artisanal Miners' Anarchy". Police called it one of the largest such campaigns ever organised in Zimbabwe.¹²² It involved several deadly encounters between police and soldiers, on one hand, and machete gangs on the other.¹²³ Authorities have made over 12,000 arrests since January this year.¹²⁴

In doing so, police did not distinguish between perpetrators of violence and artisanal miners simply pursuing their livelihoods.¹²⁵ Well over 6,000 of the 8,000 people

gangs pathetic", *AllAfrica*, 12 February 2020; Simukai Tinho, "Why is Zimbabwe doing so little to tackle growing gang violence", *African Arguments*, 18 February 2020.

¹¹⁵ "ZANU PF behind machete wielding miners", op. cit.; "Gruesome evidence jolts Zimbabwe to act on organised mining gangs", *The East African*, 15 December 2019; "Zimbabwe state spy agency minister implicated in machete violence", op. cit.

¹¹⁶ "Generals sweat over rampant indiscipline", *Zimbabwe Independent*, 29 November 2019; "Machete gangs expose divisions in the security sector – Temba Mliswa", Pindula, 2 January 2020; Bwititi and Mandiro, "All-out war on machete gang violence", op. cit.

¹¹⁷ Leopold Munhende, "Police officers among arrested Mashurugwi – ZRP", *New Zimbabwe*, 13 February 2020.

¹¹⁸ "Violence rocks ED's backyard", *The Standard*, 10 June 2020; "The evolution of 'Mashurugwi'", *Harare Post*, n.d.

¹¹⁹ "Makorokoza close in on capital city", *Sunday Mail*, 17 November 2019. Blessings Chidakwa, "Zimbabwe: who is polluting our water?", *The Herald*, 12 November 2019.

¹²⁰ "Zimbabwe descends into chaos and surges to a civil war without notice", *Bulawayo 24*, 1 January 2020.

¹²¹ Shorai Murwira, "Zimbabwe: Parliament joins fight against machete gangs", *AllAfrica*, 9 January 2020.

¹²² Bwititi and Mandiro, "All-out war on machete gang violence", op. cit.

¹²³ "Two soldiers killed in violent altercation with gold panners in Bindura", *Nehanda Radio*, 16 April 2019; "Machete gang target forex dealers", *The Herald*, 31 December 2019; "More machete cop killers arrested", *The Herald*, 3 January 2020.

¹²⁴ "Zimbabwe: 4 teens raid mine, one killed", *The Herald*, 4 September 2020.

¹²⁵ "Zimbabwe: unpacking the emergence and rise of violent criminals in mining", op. cit.

arrested between March 2019 and February 2020 were charged with illegal artisanal mining, whereas fewer than 2,000 were charged with possession of dangerous weapons.¹²⁶ Furthermore, not everyone arrested for weapons possession can be presumed to be a gang member, as the machete is widely used by miners as a tool. An artisanal miners' representative sent a letter of complaint to the government, stating that "even properly registered miners" had been "rounded up or arrested".¹²⁷

Since March, the government's COVID-19 lockdown measures have made it difficult to determine the status of either the police operation or machete gang violence. Officials announced in March that the members of all the machete gangs but one had been arrested, though this claim cannot be independently verified.¹²⁸ Since then, there have been infrequent reports of gangs robbing artisanal and industrial miners.¹²⁹

¹²⁶ "6000+ artisanal miners arrested", op. cit.

¹²⁷ Letter by Wellington Takavarasha on behalf of the Zimbabwe Miners Federation to Minister of Mines and Mining Development Winston Chitando, 26 February 2020.

¹²⁸ Nyadhadashe Ngoro, "'One machete gang still at large'... CIO minister says all others arrested", Nehanda Radio, 4 March 2020.

¹²⁹ Nqobani Ndoluvu, "Machete gang strikes at Maphisa mine", Nehanda Radio, 7 May 2020. Mashudu Netsianda, "Machete-wielding robbers raid miners", *Zimbabwe Daily*, 12 June 2020.

IV. Three Mines, Three Stories of Violence

Case studies of three gold mines – Jumbo, Gaika and Giant (see Appendix E for a map) – illustrate the instabilities of Zimbabwe's patronage economy around gold, how these can lead to violence and measures that can mitigate risks.

A. Jumbo Mine

Jumbo, or Mazowe, is an underground gold mine in Mashonaland Central and a hotspot of machete gang violence. Violence began in late 2019 when industrial mining operations at Jumbo ceased, prompting an influx of artisanal miners looking for high-grade ore, some of whom organised into gangs.¹³⁰ One miner estimates that three to five people died at Jumbo every day, mostly fellow miners who got caught up in fights over turf, but also others such as prostitutes, though confirming any numbers is difficult since bodies were frequently left in shafts underground.¹³¹ According to other reports, gangs would rob artisanal miners, force them to work underground for days on end or beat them, sometimes to death.¹³² Zimbabwe's patronage economy played an important role in both Jumbo's closure and the subsequent melees.

Jumbo used to belong to the Metallon Corporation, which is registered in the UK and in 2018 was among the top ten mining companies in Zimbabwe, owning and operating several mines in the country.¹³³ Although its mines are by all accounts profitable, Metallon's overall financial position took a nosedive around 2018 – as did its relationship with the Zimbabwe government.¹³⁴ The government accused the company of moving capital out of the country in contravention of Zimbabwe's laws.¹³⁵ Metallon denies the charge, and the status of legal proceedings is unclear.¹³⁶ In 2019, Metallon filed its own suit against the Reserve Bank of Zimbabwe, saying its subsidiary FPR had failed to pay for gold deliveries in U.S. dollars or sometimes neglected to pay at all.¹³⁷ This case is also pending. Around the time it filed suit, Metallon decided to put several of its mines, including Jumbo, out of commission for maintenance. Unable to pay its debts, Metallon laid off most of its workers at Jumbo.¹³⁸

¹³⁰ Crisis Group interview, former mining company representative, 16 April 2020. Crisis Group telephone interview, member of Zimbabwe security sector, 18 March 2020.

¹³¹ Crisis Group interview, artisanal miner, Harare, 11 March 2020. A news report mentions three dead over a single weekend, lending credence to this estimate. Everson Mushava and Simbarashe Sithole, "Minister fingered in machete wars", *Newsday*, 10 October 2019.

¹³² "Terror and riches at Jumbo Mine", *The Sunday Mail*, 17 November 2019.

¹³³ "Mazowe Mine", Metallon Corporation website; "Top ten operating mines in Zimbabwe 2018", *Mining Zimbabwe*, 14 December 2018.

¹³⁴ Crisis Group interview, former mining company representative, 16 April 2020.

¹³⁵ *Ibid.* Also see Phila Mazmo, "Metallon in US\$31 million externalisation storm", *Mining News*, 19 July 2017.

¹³⁶ Akani Chauke, "Metallon dismisses externalisation charge in Zimbabwe", *CAJ News Africa*, 15 March 2018.

¹³⁷ Sguazzin and Prinsloo, "Gold miner sues Zimbabwe central bank for not paying in dollars", *op. cit.*; "Metallon Corporation Sues the Government of Zimbabwe for US\$132M for Failing to Pay for Gold", *op. cit.*

¹³⁸ "Debts push Metallon Corporation to the brink", *Zimbabwe Independent*, 7 September 2018. "Local consortium bids for Metallon's mines", *The Herald*, 28 May 2019.

Nearly vacant, Jumbo mine was an attractive prospect for artisanal miners. It boasts high-grade ores and shafts that help artisanal miners descend to depths that would otherwise be beyond their reach.¹³⁹ The first artisanal miners on the scene were former Metallon employees, who were owed several months of wages.¹⁴⁰ Hundreds of others followed, the number peaking at more than 5,000 by some accounts.¹⁴¹

One new arrival describes an elaborate system of patronage at Jumbo.¹⁴² He and a small team of fellow miners would pay police and private security guards a fee to enter the site. The guards would warn miners of forthcoming inspections by other authorities. Once on the site, the team faced the choice of mining on the surface or underground. The shafts offered higher-grade ore, but were more dangerous, as several gangs armed with guns and machetes would demand their own entry and exit fees. A “sponsor” would pre-pay all these expenses in return for a cut of the team’s final takings.

Several local and national politicians have been accused of “sponsoring” the larger gangs mining underground. Those living around Jumbo point a finger at close Mnangagwa ally Owen Ncube, although his office denies involvement.¹⁴³ Others allege that local ZANU-PF politicians back violent gangs of artisanal miners, though party offices reject this claim as well.¹⁴⁴ One local ZANU-PF politician did tell artisanal miners in a speech at Jumbo that he “agreed that you [artisanal miners] scratch on the surface and get little gold for your upkeep without trespassing into the big mine. [...] You should not worry as your leaders we will stand by you”.¹⁴⁵ In turn, ZANU-PF figures accuse opposition parties of supporting machete gangs at Jumbo to stir up unrest.¹⁴⁶

In January 2020, Operation Chikorokoza Ngachipere mostly put an end to artisanal mining at Jumbo, arresting over 1,700 miners and several police officers who were involved with gangs or mining themselves.¹⁴⁷ The focus on Jumbo raised eyebrows in the media, as the intervention there happened more swiftly than at other mines where artisanal miners had moved in.¹⁴⁸ In 2019, Metallon put Jumbo mine up for sale. Kuda Tagwirei’s Landela, which had previously bought two of the company’s other mines, is the presumed buyer.¹⁴⁹

¹³⁹ Crisis Group interview, artisanal miner, Harare, 11 March 2020.

¹⁴⁰ Crisis Group interview, former mining company representative, 16 April 2020. See also “Debts push Metallon Corporation to the brink”, op. cit.

¹⁴¹ Cletus Mushanawani and Daniel Chigunwe, “Zimbabwe: Jumbo Mine now a traders’ paradise”, *The Herald*, 26 November 2019.

¹⁴² Crisis Group interview, artisanal miner, Harare, 11 March 2020.

¹⁴³ Mushava and Sithole, “Minister fingered in machete wars”, op. cit.

¹⁴⁴ Crisis Group interviews, March–April 2020. See also “Zanu PF behind machete-wielding panners”, *Newsday*, 4 October 2019.

¹⁴⁵ “Machete gangs at Jumbo Mine are MDC project – ZANU PF”, *The Zimbabwe Mail*, 21 January 2020.

¹⁴⁶ Ibid.

¹⁴⁷ “Police say they’ve sealed off Jumbo Mine – no word on Mnangagwa’s Gaika and other Mashurugwi mines”, *ZimEye*, 22 January 2020; Leopold Munhende, “Police officers among arrested Mashurugwi – ZRP”, *New Zimbabwe*, 13 February 2020.

¹⁴⁸ “Police say they’ve sealed off Jumbo Mine”, op. cit.

¹⁴⁹ “Tagwirei buys more gold assets from Metallon”, Harare Live, 4 July 2020; “Open for business: Shamva gold mine resumes production”, *NewsdzeZimbabwe*, 30 June 2020.

Broadly speaking, it appears that after Metallon's fall from grace with Harare, senior ZANU-PF figures squeezed it through the FPR and decreased Jumbo's value by tacitly allowing occupation by artisanal miners. When a figure close to Mnangagwa's government showed an interest in buying the mine, the authorities were quick to chase those miners out. Metallon refused Crisis Group's requests for comment on the sale.¹⁵⁰

B. *Gaika Mine*

Gaika mine in the town of Kwekwe in Zimbabwe's Midlands province was also a hotspot of violence. The Duration Gold Group has owned the mine since 2006, and has been conducting both mining and exploration activities there.¹⁵¹ At Gaika, a local politician was convicted of orchestrating an invasion by artisanal miners.¹⁵² Events at this mine also illustrate the weakness of Zimbabwe's legal system and the role of ZANU-PF factionalism in the gold sector's instability.

Confrontations between Duration Gold and a group of artisanal miners with political patrons began in February 2018. The impetus for invading Gaika reportedly emerged at a Mnangagwa campaign rally in February that year, where former ZANU-PF MP Vongaishe Mupereri spoke.¹⁵³ The same year, the company received a letter, signed by Mupereri, stating that "groups of young people" would be taking over Gaika. Shortly thereafter, a large group of artisanal miners entered the mine.¹⁵⁴ The letter justified the move by saying Gaika had been closed for twenty years, with no sign of reopening, presumably a reference to the government's putative "use it or lose it" policy. It also asked Duration Gold to grant the "youth" a tribute agreement.¹⁵⁵ Duration Gold disputes that Gaika has ever been closed under its auspices. It argues that it has been engaged in exploration, a normal, and time-consuming, part of modern mining operations, that exploration has confirmed the presence of gold deposits and that granting a tribute would pose a safety hazard, given unstable ground conditions, and jeopardise its mining plans.¹⁵⁶

Despite court rulings against the artisanal miners and Mupereri, the authorities appear to have long avoided taking action. Duration Gold secured a court order for the police to remove the miners and for Mupereri to cease encouraging them to remain.¹⁵⁷ Two miners, who name Mupereri as their top "chef" – the person at the top of the patronage network benefitting from their mining activities – say they knew about these legal proceedings, but that their local "chefs" told them not to worry about

¹⁵⁰ Metallon has remained silent since issuing its 16 May press statement.

¹⁵¹ Crisis Group interview, mining company representative, 18 June 2020.

¹⁵² "Chief Justice Malaba orders the arrest of ZANU-PF stalwart for Gaika mine invasion", *op. cit.*; "Gaika mine eviction latest: ZANU PF stalwart Mupereri ignores court order, plots re-invasion", *Zimbabwe Morning Post*, 14 April 2019.

¹⁵³ "Mnangagwa rally: Zanu PF unleashes youths on gold mine to cover expenses", *New Zimbabwe*, 22 March 2019.

¹⁵⁴ "Illegal miners besiege Gaika Mine", *Zimbabwe Independent*, 24 March 2020.

¹⁵⁵ Letter signed by Vongaishe Mupereri, 15 February 2018.

¹⁵⁶ Crisis Group interview, mining company representative, 18 June 2020.

¹⁵⁷ High Court of Zimbabwe, Bulawayo, Case no. HC662/18, 7 March 2018.

eviction.¹⁵⁸ Indeed, there is no evidence that the police acted against the miners. In May 2018, the Zimbabwe High Court found Mupereri and the police in contempt of its orders.¹⁵⁹ A year later, the court issued a warrant for Mupereri's arrest for failure to comply, leading observers to conclude that Mnangagwa had "thrown Mupereri under the bus".¹⁶⁰ Yet there is no evidence that the police executed this order, either. No longer denying his involvement, Mupereri stated that he "was not backing down on a youth empowerment drive through Gaika".¹⁶¹

There are persistent suggestions that national politicians were also involved at Gaika. Again, the name of Minister of State Ncube crops up frequently.¹⁶² Ncube signed a letter requesting that Duration Gold grant Mupereri a tribute at Gaika.¹⁶³ Two artisanal miners at Gaika identify Ncube as the second top "chef".¹⁶⁴ Mnangagwa, however, has personally denied Ncube's involvement.¹⁶⁵

Although artisanal miners could continue working at Gaika, doing so was a risky business. Groups of miners would "peg" patches of territory, and fights would ensue if one group entered another's turf or discovered a particularly rich vein of ore.¹⁶⁶ Given the dangers, few women miners were present. Artisanal miners made little effort to take safety measures, and several deadly accidents occurred.¹⁶⁷ Duration Gold estimates that, all told, the death toll at Gaika exceeded 80.¹⁶⁸

Eventually, in April 2019, soldiers and police evicted all the artisanal miners operating at Gaika mine.¹⁶⁹ It is difficult to determine what compelled them to intervene, but several factors could have played a role. Politicians left out of the Gaika patronage network might have had an interest in ending artisanal mining at Gaika in order to undercut their rivals. Prior to the intervention, Duration Gold thought itself compelled to finance the miners' expulsion, after its repeated appeals to the police had gone unanswered, and declared its intentions to do so, which might have spurred officials to take action.¹⁷⁰ The government may have seen an incentive in championing the operation in order to create a positive "soundbite" about rule of law in Zimbabwe.

¹⁵⁸ Crisis Group interview, artisanal miners, Kwekwe, 13 March 2020.

¹⁵⁹ High Court of Zimbabwe, Bulawayo, Case no. HC1237/18, 15 May 2018.

¹⁶⁰ "Chief Justice Malaba orders the arrest of ZANU-PF stalwart for Gaika mine invasion", op. cit.; "Jail for former MP Mupereri", H-Metro, 16 April 2019.

¹⁶¹ "Ex-Zanu PF Kwekwe MP vows to defy Gaika Mine court ban", *New Zimbabwe*, 16 March 2019.

¹⁶² "Steven Hanke on Owen 'Mudha' Ncube's role in Gaika Mine invasion", Pindula, 19 April 2019; "Zimbabwe: government dismisses midnight looting of gold ore at Gaika mine", *AllAfrica*, 28 April 2019.

¹⁶³ Letter from Hon. O. Ncube (MP) to the Board of Directors of Gaika Mine, 3 August 2018.

¹⁶⁴ Crisis Group interviews, artisanal miners, Kwekwe, 13 March 2020.

¹⁶⁵ "Zimbabwe: government dismisses midnight looting of gold ore at Gaika mine", op. cit.

¹⁶⁶ "To peg", in mining, means to mark a particular area for exploration by one individual, group or company. Crisis Group interview, mining company representative, 18 June 2020.

¹⁶⁷ Crisis Group interviews, artisanal miners, Kwekwe, 13 March 2020.

¹⁶⁸ "Summary of Events Involving Gaika Mine", given to Crisis Group by Duration Gold representative, 1 June 2020. Miners confirmed to Crisis Group that accidents and casualties occurred, but they could give no firm numbers.

¹⁶⁹ "Police, military seal off Gaika Mine, as invaders are evicted", Nehanda Radio, 9 April 2019.

¹⁷⁰ The company has also underwritten subsequent policing costs at the site. Crisis Group interview, mining company representative, 18 June 2020.

C. Giant Mine

Giant, or Gadzema, mine, located on the outskirts of Chegutu in Mashonaland West, has seen the least violence among the three mines considered in this report. Giant's ownership lies in the hands of several companies, but Breckridge Investment is the operator.¹⁷¹ At Giant, investors granted a tribute arrangement to an artisanal mining cooperative with political connections. The mine operated fairly peacefully until security forces expelled the artisanal miners, killing one miner while doing so.¹⁷² Again, Zimbabwe's patronage economy and legal system are crucial to understanding what happened.

Artisanal mining at Giant mine has a long and non-violent history. Miners say they have worked at the site since 2012, forming an association named Danangwe District Youth and Mining Cooperative.¹⁷³ At its peak, membership in the cooperative reached 6,500, including some 500 women. The previous operator, a company focused on exploration, mounted little opposition to their presence and there is no record of serious unrest. Although some fighting did occur, for the most part the cooperative seems to have maintained order in its ranks: it was organised into divisions responsible for administration, security and other functions.¹⁷⁴

The cooperative had ties to both local and national politicians. Its establishment coincided with Mugabe's campaign for the 2013 election, in which youth employment and indigenisation – many mines are foreign-owned – were key messages.¹⁷⁵ A cooperative member named a local politician as “patron”, although it is unclear what this support entailed beyond encouragement and whether he was motivated by personal connections or monetary gain.¹⁷⁶ The cooperative's president was able to secure meetings at the ministry of mines, with Chitando's predecessor, and at FPR.¹⁷⁷

After Breckridge took over the site in 2015, the cooperative attempted to formalise its position by obtaining a tribute for one of the company's dozens of mining claims making up Giant mine. In 2016, the parties signed such an arrangement for six months, a period they entered negotiations to extend.¹⁷⁸ Under this arrangement, the cooperative received 40 per cent of revenue and Breckridge 60 per cent, with the cooperative willing to take a lower share if Breckridge would fund a mill to improve returns to labour.¹⁷⁹

The years 2017-2018 marked a sudden shift in both Zimbabwe's political landscape, with Mnangagwa taking over from the ousted Mugabe, and the Danangwe Cooperative's fortunes. With Mugabe gone, the cooperative's local sponsor lost polit-

¹⁷¹ “Gadzema Property Profile”, S&P Global Market Intelligence, 2020; “Vast Resources PLC: Final results”, Investigate, 28 September 2018.

¹⁷² “Chegutu mine invasion stand-off ends with artisanal miner shot dead”, ZimLive, 26 April 2019; Sharon Chirisa, “PIC: Zanu Pf Youth Gunned Down at Gadzema mine”, iHarare, 26 April 2019.

¹⁷³ Crisis Group interview, artisanal miner, Chegutu, 12 March 2020.

¹⁷⁴ Ibid.

¹⁷⁵ “Gold panners to be regularised Mujuru”, *Newsday*, 28 July 2012; Derek Matyszak, “Digging Up the Truth: The Legal and Political Realities of the Zimplats Saga”, Research and Advocacy Unit, 19 April 2012.

¹⁷⁶ Crisis Group interview, artisanal miner, Chegutu, 12 March 2020.

¹⁷⁷ Ibid.

¹⁷⁸ Crisis Group interview, artisanal miner, Chegutu, 12 March 2020.

¹⁷⁹ Crisis Group interview, artisanal miner, Chegutu, 12 March 2020.

ical influence.¹⁸⁰ In 2018, Breckridge obtained a court order for its expulsion.¹⁸¹ A lawyer representing the cooperative claims that he obtained a competing court order allowing the artisanal miners to continue working, although Crisis Group could not verify that this document exists.¹⁸² In 2019, police executed the eviction order in a major operation, killing at least one artisanal miner in the process.¹⁸³

D. *Three Mines: Lessons from Commonalities and Contrasts*

All three case studies contain a strong common thread: in Zimbabwe gold mining, politics are king. Political interests shape the interactions among industrial mining companies, artisanal miners and security forces – and the resulting violence. Crisis Group research has unearthed similar dynamics elsewhere in Africa, including in the Democratic Republic of Congo and Sahel countries, but the political interference in Zimbabwe is particularly blatant.¹⁸⁴

Although miners, both industrial and artisanal, sometimes manage to turn these political interests to their advantage, Zimbabwe's fickle politics mean that in the long term, neither party comes out the unequivocal winner. Jumbo mine's owners miscalculated the political support they could muster and ultimately lost out, which cost them a number of mining assets that they likely had to sell at a discount due to recent violence. The company operating Gaika has seen its site cleared of most artisanal miners, but suffered damage to its assets and the name of its mine is now connected to reports of violence, which can scare off investors.¹⁸⁵ Artisanal miners in Jumbo and Gaika made good money for a brief time, but did so in dangerous conditions and ultimately saw their livelihood disappear. Although Breckridge at Giant seems to have won its battle with artisanal miners, it faces the continuous risk – as does any industrial mining company in Zimbabwe – that this situation will change if challenged by a better-connected group of artisanal miners.

For those in positions of political power as well, not all that glitters is gold. At the local level, those associated with the worst reports of violence, like Mupereri, tend to be politically expendable. At the national level, the out-of-hand machete gang violence leads to criticism of government leaders, particularly Mnangagwa and Mines Minister Chitando, damaging their position vis-à-vis ZANU-PF allies, who are getting nervous about the 2023 elections.¹⁸⁶ Violence, disrupted production and smuggling starve the state's coffers and hurt Mnangagwa's ability to deliver on advertised plans to achieve

¹⁸⁰ Crisis Group interview, artisanal miner, Chegutu, 12 March 2020.

¹⁸¹ Ruling in “Lescaut Investments (PVT) LTD and Breckridge Investments (PVT) LTD versus Danangwe District Youth Mining Cooperative Society and Minister of Mines and Mining Development”, op. cit. Crisis Group interview, artisanal miner, Chegutu, 12 March 2020. Breckridge could not be reached for comment.

¹⁸² “Artisanal miner killed in Chegutu gold mine war”, *Daily News*, 27 April 2019.

¹⁸³ “Chegutu mine invasion stand-off ends with artisanal miner shot dead”, op. cit. Chirisa, “PIC: Zanu Pf Youth Gunned Down at Gadzema mine”, op. cit.

¹⁸⁴ See Crisis Group Reports, *Mineral Concessions: Avoiding Conflict in DR Congo's Mining Heartland* and *Getting a Grip on Central Sahel's Gold Rush*, both op. cit.

¹⁸⁵ Crisis Group interview, mining company representative, 18 June 2020.

¹⁸⁶ Paganga, “Zimbabwe: govt's response to machete gangs pathetic”, op. cit.

a \$12 billion mining economy by 2023.¹⁸⁷ The IMF, which holds the key to international assistance for Zimbabwe, has questioned the government's transactions with Tagwirei.¹⁸⁸

Beyond the question of politics, it is striking that the mine owners of the three sites are at least somewhat willing to cooperate with artisanal miners and are likely to be even further so inclined if the legal system becomes able to enforce such bargains. Breckridge was ready to enter a short-term tribute arrangement with Danangwe, even if only when it had political connections, and is rumoured to have entered one with a different cooperative after Danangwe's expulsion.¹⁸⁹ Duration Gold, which was adamant that a tribute arrangement at Gaika was not acceptable, has similar "right to mine" relationships with artisanal miners at one of its other properties.¹⁹⁰ In the past, the company has also attempted to assist small-scale miners in organising and planned to finance an eco-friendly gold milling centre for a nearby artisanal mining cooperative.¹⁹¹ As for Metallon, at another mine it owns, the Redwing mine, it is partner to a reasonably successful arrangement with an artisanal mining cooperative, whose level of organisation it praises.¹⁹²

Contrasts among the three mining sites also provide glimmers of insight into how to decrease violence in Zimbabwe's gold mining sector. First, the experience at Jumbo, the most violent of the three, suggests that inoperative mines are especially likely to become targets for invasion by artisanal miners, underlining how disputes over FPR gold pricing policies that lead to mine closures can foster local instability.

Secondly, the sites' different experiences illustrate the importance of avenues for dispute resolution and holding the government to account, especially effective enforcement of court decisions by police. At Gaika, Mupereri's ability to ignore court orders almost certainly prolonged strife between Duration Gold and artisanal miners and decreased both the operating company's confidence that cooperation with artisanal miners can succeed and its willingness to invest in community projects.¹⁹³ At Jumbo, unresolved disputes between Metallon and the government about moving foreign currency out of the country and underpayment turned a once successful mine into a hotspot of violence.¹⁹⁴ By contrast, the Danangwe cooperative had resolved disputes among its members and mediated with the industrial owner for several years, although this situation has proved fragile and subject to changes of political winds.¹⁹⁵

¹⁸⁷ Laurence M. Stevens, "Zimbabwean govt in ambitious US\$12 billion mining economy by 2023", *African Mining Market*, 21 August 2019; "Why is Zimbabwe doing so little to tackle growing gang violence", *op. cit.*

¹⁸⁸ Cotterill, "IMF warns Zimbabwe over payouts to Trafigura partner", *op. cit.*

¹⁸⁹ Crisis Group interview, artisanal miner, Chegutu, 12 March 2020.

¹⁹⁰ Crisis Group interview, former mining company representative, 16 April 2020.

¹⁹¹ "Eco-friendly Custom Milling Centre Proposal", Duration Gold, n.d. On file with Crisis Group. Crisis Group interview, former mining company representative, 16 April 2020.

¹⁹² Crisis Group interview, former mining company representative, 16 April 2020.

¹⁹³ Crisis Group interview, mining company representative, 18 June 2020. "Gaika mine eviction latest: ZANU PF stalwart Mupereri ignores court order, plots re-invasion", *op. cit.*

¹⁹⁴ "Police say they've sealed off Jumbo Mine", *op. cit.* "Metallon Corporation Sues the Government of Zimbabwe for US\$132M for Failing to Pay for Gold", *op. cit.*

¹⁹⁵ Crisis Group interview, artisanal miner, Chegutu, 12 March 2020.

Thirdly, the experience at Giant teaches that where artisanal miners are well organised into cooperatives, these associations can become an avenue for dispute resolution among artisanal miners, as well as between artisanal and industrial miners, though again political changes can upset what are often fragile arrangements. This insight echoes that derived from studies of artisanal mining in other countries, where scholars deem organisation of artisanal miners into groups as similarly crucial to avoid the pitfalls of artisanal mining.¹⁹⁶

¹⁹⁶ Bruce G. Marshall and Marcello M. Veiga, "Formalization of Artisanal Miners: Stop the Train, We Need to Get Off!", *The Extractive Industries and Society*, vol. 4, no. 2 (2017).

V. Finding Nuggets of Progress

Violence in the Zimbabwe mining sector is an ill of the country's patronage economy, which needs reform above and beyond the scope of this report. Nonetheless, the Mnangagwa government, mining companies, civil society and international actors can take steps to address the situation even absent root-and-branch changes.

A. *The Government: Jump-start Stalled Reforms*

Mnangagwa should rebalance his government's priorities to generate support for mining sector reform. Broadly speaking, he needs to revive Zimbabwe's ailing economy if he is to deliver on promises to donors and potential investors, retain his party members' confidence and maintain his position. To do so, he will have to give greater weight to reforms in the gold mining sector.

First would be to instruct Minister of Mines Chitando to reinvigorate efforts to amend the Mines and Minerals Act, which have lost momentum. To lend artisanal miners greater agency and stimulate their self-organisation, the revised act should give legal standing to miners' cooperatives. In addition, the act should make small-scale mining a distinct category under the law, as proposed in the newest draft. Furthermore, lawmakers should consult with industrial mining companies about additional arrangements they could enshrine in law, such as the "right to mine", that would make it attractive for mining companies to cooperate with artisanal and small-scale miners. For the ministry of mines to lead a formalisation effort, its unit tasked with aiding artisanal miners in organising, acquiring formal licences and growing into small-scale miners will need more resources. The ministry of finance, which is the focal point of the international financial institutions' efforts to improve economic governance in Zimbabwe, is a key ally in all these efforts.

Secondly, to keep mines up and running, and to combat gold smuggling, which empties the state's coffers and encourages violence, Minister Chitando should work with the Reserve Bank of Zimbabwe and its gold buying arm FPR to pay industrial and artisanal miners fully in U.S. dollars, at the international gold price minus taxes and reasonable administration costs. FPR recently made some progress toward this goal, increasing the U.S. dollar share of payments. Chitando and the Reserve Bank should also refrain from giving out special licences allowing third parties to buy gold, and retract any licences already awarded, as they provide avenues for undercutting state royalties that are difficult to monitor.¹⁹⁷ In addition, FPR should abolish minimum delivery quantities, which de facto exclude artisanal miners from selling their produce legally. Furthermore, FPR in its reporting should distinguish between purchases from artisanal miners, on one hand, and small-scale miners on the other, to offer the Zimbabwe government better insight into the relative contributions from both sectors.

Lastly, Chitando should seek means of improving dispute resolution and transparency in the gold mining sector. Given Zimbabwe's parlous justice system, such efforts will have to be modest and specific to mining. One step would be to establish

¹⁹⁷ Chiremba, "An Analysis of Freda Rebecca Gold Mine's Gold Buying Licence and the Proposed Partnership with CBZ", op. cit.

an electronic cadastre system, which would greatly diminish the scope for malpractice in allocating mining claims. Chitando should also try out alternative forms of dispute resolution to deal with conflicts between artisanal and industrial miners, for example starting at the local level and taking existing alternative dispute resolution mechanisms as a starting point.¹⁹⁸ Ideally, such mechanisms would not shy away from investigating politicians' roles in such disputes and should be backed up with consistent enforcement by police and security forces. Finally, Mnangagwa and Chitando should reinvigorate Zimbabwe's efforts to join the Extractive Industries Transparency Initiative, which would require making the government's transactions with industrial mining companies, including those with Tagwirei, public.¹⁹⁹

B. Parliament: Investigate Mine Violence

Zimbabwe's parliament should reinvigorate its enquiry into violence in the gold mining sector, which it halted due to COVID-19, as soon as the pandemic calms in the country and it is safe to do so.²⁰⁰ The investigation should include specific questions about the role of politicians, police and security forces. While politicians are likely to try to hinder investigators, experience with two past parliamentary enquiries into the diamond industry suggests that a gold sector enquiry could nonetheless chasten those associated with the worst violence.²⁰¹ Parliament should also use this enquiry to formulate recommendations for Mines Minister Chitando, based on best practices of organisation among artisanal miners and cooperation between industrial and artisanal miners. It should look at how to bolster the earning potential of women artisanal miners, for instance by loosening the eligibility criteria for the credit facility earmarked for women in mining.²⁰²

C. Mining Companies: Explore Cooperation with Artisanal Miners

Mining companies operating in Zimbabwe should strive to cooperate with artisanal and small-scale miners, including by voluntarily granting tributes to artisanal mining cooperatives that refrain from violence and pushing for additional modes of cooperation to be included in Zimbabwe's mining law. This can provide companies with a strategy to both profit from sections of their mine that are industrially non-viable and decrease tensions with artisanal miners, which can cause costly production interruptions.²⁰³ Many companies have suffered substantial losses in confrontations with

¹⁹⁸ Nhamo Anthony Mhiripiri, "Alternative Dispute Resolution Systems in the Zimbabwean Media Industry and the Debate on Self-Regulation", *Journal of African Media Studies*, vol. 5, no. 3 (2013).

¹⁹⁹ Mutuso Dhliwayo and Joyce Machiri, "Momentum for the Adoption of the Extractive Industries Transparency Initiative Builds in Zimbabwe", Zimbabwe Environmental Lawyers Association, n.d.

²⁰⁰ Shorai Murwira, "Zimbabwe: Parliament joins fight against machete gangs", op. cit.

²⁰¹ Michael Gibb, "Is ZANU-PF's Hidden Hand in Zimbabwe's Diamond Industry Revealed by Secret Document?", Global Witness, 25 June 2018.

²⁰² Crisis Group interview, women artisanal miners' representative, Harare, 10 March 2020.

²⁰³ While political and legal contexts differ, promising examples of industrial-artisanal cooperation at gold mining sites in other countries may also provide insights for Zimbabwe's mining companies. For example, Colombia's largest underground gold and silver producer, Gran Colombia Gold, has a long record of legal cooperation with artisanal miners. See Trish Saywell, "Gran Colombia Gold

artisanal miners. Rather than wield their political connections to “solve” these problems by force, a risky strategy given the vicissitudes of Zimbabwe’s politics, companies could instead cooperate with artisanal mining cooperatives where they are well-organised, compliant with basic health, safety and labour standards, and open to offering opportunities for women.

Mining companies, as gathered in the Zimbabwe Chamber of Mines, should also keep pressure on the government to develop an electronic cadastre system and improve dispute resolution around mining in Zimbabwe. They should press for progress on amending the Mines and Minerals Act and the formalisation of artisanal mining, which would make cooperatives legal entities that companies can contract to.

Lastly, mining companies operating in Zimbabwe and companies in their supply chain should aid the formation of artisanal mining cooperatives, for example by providing training in health, safety and environmental standards and equipment to help artisanal miners comply with such standards. Aiding the formalisation of artisanal miners is a risk-mitigating strategy suggested by the Organisation for Economic Co-operation and Development’s (OECD) Due Diligence Guidance for responsible mineral supply chains, which is increasingly promoted by metals trading centres, such as the London Bullion Market Association, and codified in European Union law.²⁰⁴ High-profile accidents or use of child labour by artisanal miners operating close to or encroaching on companies’ mining sites can have serious reputational and judicial consequences for companies, even if they are not directly responsible. A host of mining companies and technology giants were recently challenged in a U.S. court when accidents killed several artisanal miners, including children, at a site from which they reportedly obtained minerals.²⁰⁵

D. *Civil Society: Help Artisanal Miners Organise*

Civil society organisations engaging with artisanal miners, such as the Zimbabwe Environmental Lawyers Association, should continue working to increase the miners’ capacity to advocate for their interests with the ministry of mines. They should make special effort to ensure that women miners are welcomed into artisanal miners’ organisations. Although not officially excluded from such organisations, women miners allege that their male counterparts use “cultural” beliefs, portraying women who work in mining as prostitutes and bringers of bad luck – harming miners’ chances of finding high-grade ore – to keep them out of the profession.

E. *Outside Parties: Set the Bar*

The African Peer Review Mechanism (APRM), the African Union’s self-assessment mechanism for the performance of the continent’s governments, should designate the mining sector as a priority sector for review. Mnangagwa led Zimbabwe’s acces-

works with artisanal miners”, *The Northern Miner*, 18-31 March 2019; and “Due Diligence in Colombia’s Gold Supply Chain”, *op. cit.*

²⁰⁴ See, for example, the London Metal Exchange position paper on responsible sourcing.

²⁰⁵ Annie Kelly, “Apple and Google named in US lawsuit over Congolese child cobalt mining deaths”, *The Guardian*, 16 December 2019.

sion to the APRM, and both parties are likely to negotiate about priority sectors for inclusion in the review. The APRM should push to designate improvements to dispute resolution in the mining sector, formalisation of artisanal mining, reduction of violence affecting the sector and regularisation of gold exports as indicators that will affect their assessment of Zimbabwe's progress. The OECD Guidance provides some concrete indicators for measuring aspects of such progress.

Similarly, the IMF should include these indicators in its assessments of Zimbabwe's progress. The IMF wields considerable influence. A positive IMF evaluation would be one step toward regularising relationships between Zimbabwe and international financial institutions, which hold the key to financial assistance, virus-related and otherwise, and determining the country's eligibility for debt relief.²⁰⁶

South Africa has become increasingly vocal about Zimbabwe's economic and governance challenges since late 2019 and is affected by its northern neighbour's continued economic crisis, as it leads to contentious labour emigration.²⁰⁷ South Africa signed a Bi-National Agreement with Zimbabwe in April 2015; and again in March 2019, at the annual Bi-National Commission meeting, President Cyril Ramaphosa used Pretoria's efforts to clarify the regulatory architecture of its own mining industry as part of his messaging around what is required to support Zimbabwe's economic renewal.²⁰⁸ South Africa should keep up pressure on Zimbabwe to reform its mining industry accordingly.

²⁰⁶ "Heavily indebted poor countries initiative and multilateral debt relief initiative, Statistical update", IMF, August 2019; "IMF Executive Board Concludes 2020 Article IV Consultation with Zimbabwe", *op. cit.*

²⁰⁷ Crisis Group Briefing, *Four Conflict Prevention Opportunities for South Africa's Foreign Policy*, *op. cit.*, pp. 11-14.

²⁰⁸ "Opening remarks by President Cyril Ramaphosa during the SA-Zimbabwe Bi-National Commission", South African Government, 12 March 2019.

VI. Conclusion

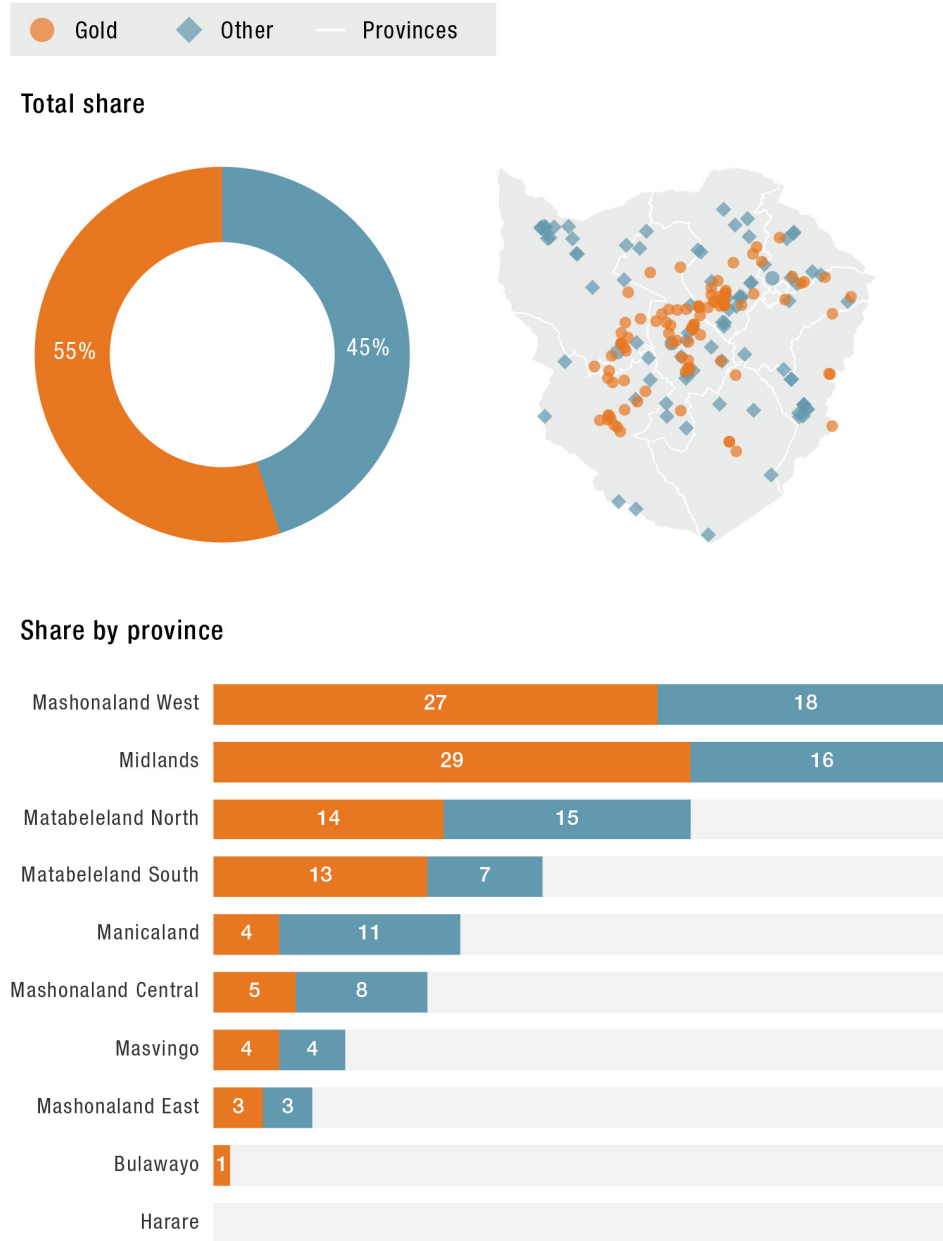
The Mnangagwa government, mining companies, civil society and international actors can take steps to dial back the worrying uptick of violence in Zimbabwe's gold mining sector. These include giving artisanal mining cooperatives legal standing and building capacity among the miners to pursue their livelihood in a way that benefits them, mining companies and the country's economy. To decrease smuggling, the Reserve Bank should pay gold producers commensurate with world prices. To shine a light on the patronage networks linked to gold mining, which are prominent in Zimbabwe even in comparison to other resource-rich African countries and which contribute to bloodshed around mines, parliament should resume its enquiry into machete gang violence. Cooperation between artisanal and industrial miners could be improved with new dispute resolution mechanisms and digitisation of the mining cadastre. Absent such steps, cycles of violence will recur, hurting industrial miners' profits and artisanal miners' livelihoods, not to mention President Mnangagwa's political standing.

Harare/Nairobi/Brussels, 24 November 2020

Appendix A: Map of Zimbabwe and Its Provinces

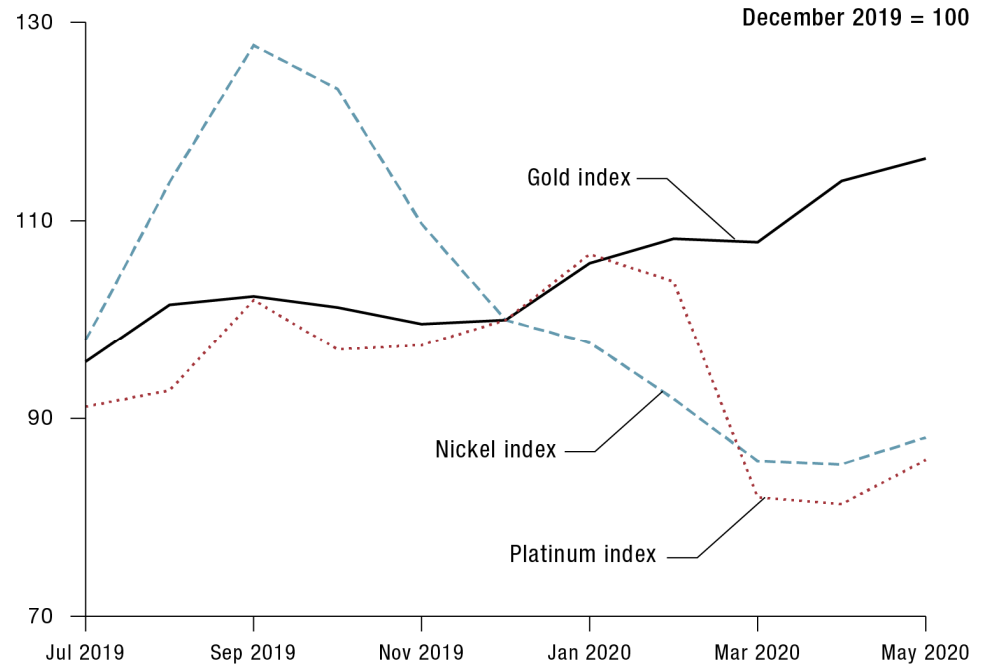


Appendix B: Industrial Mines in Zimbabwe, by Type and Province



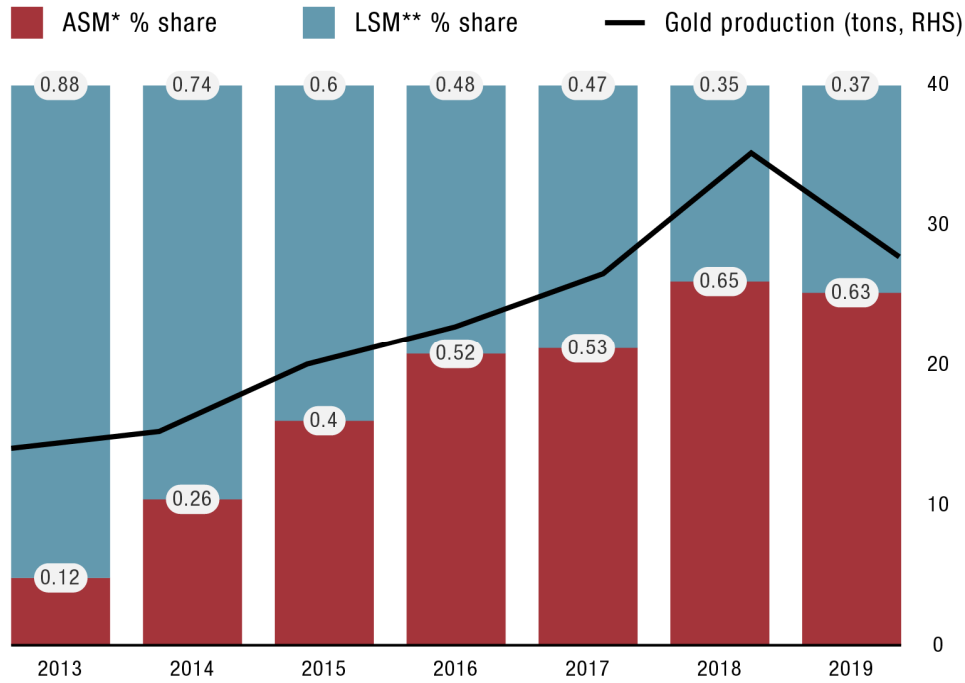
Data sources: S&P, Natural Earth

Appendix C: Prices of Zimbabwe's Main Export Commodities, Over Time



Data source: World Bank

Appendix D: Zimbabwe Gold Production, Artisanal and Industrial Share

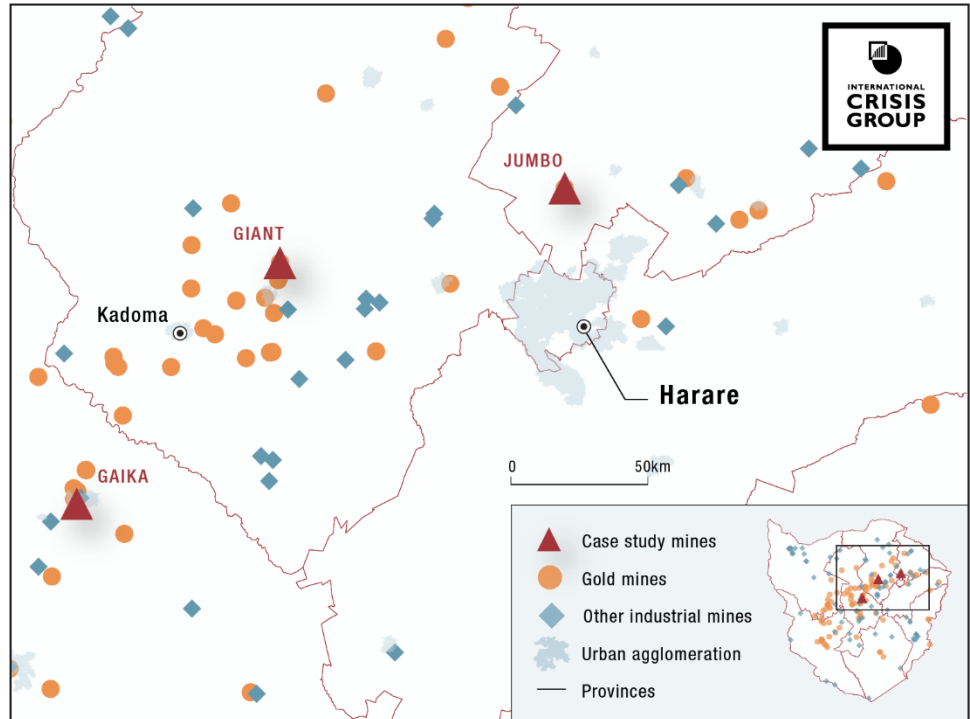


* Artisanal and small-scale mining.

** Large-scale mining.

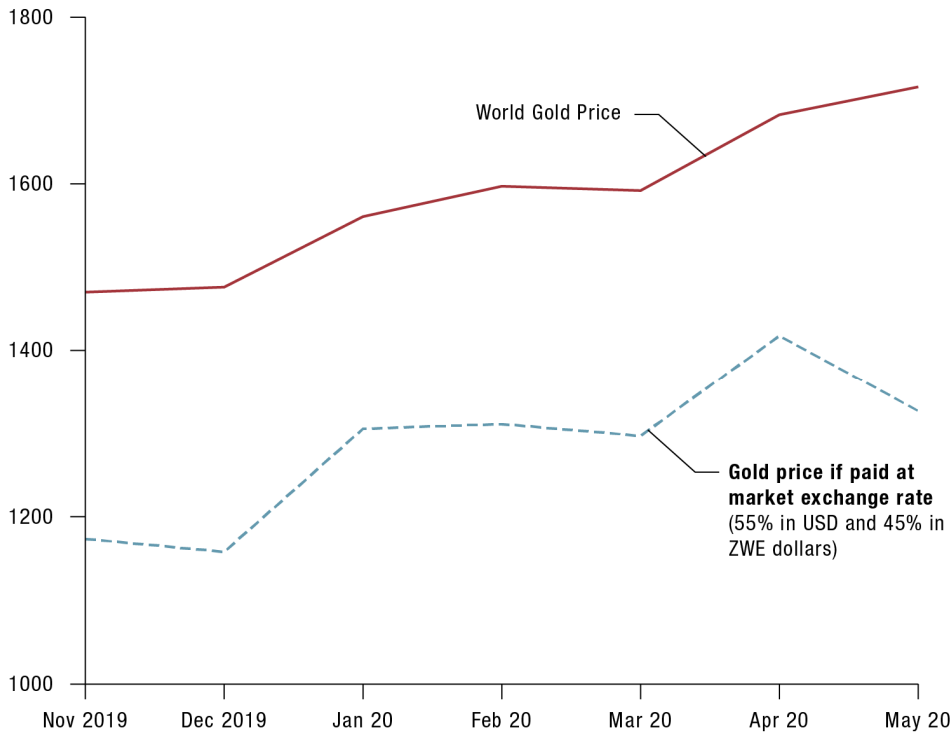
Data sources: Royal Bank of Zimbabwe, Fidelity Printers and Refiners, Zimbabwe Chamber of Mines, Zimbabwe Miners Federation, Mukasiri Sibanda, Zimbabwe Economic Policy and Analysis Research Group, Pact and Hollaway (2019).

Appendix E: Map of Case Study Mining Sites



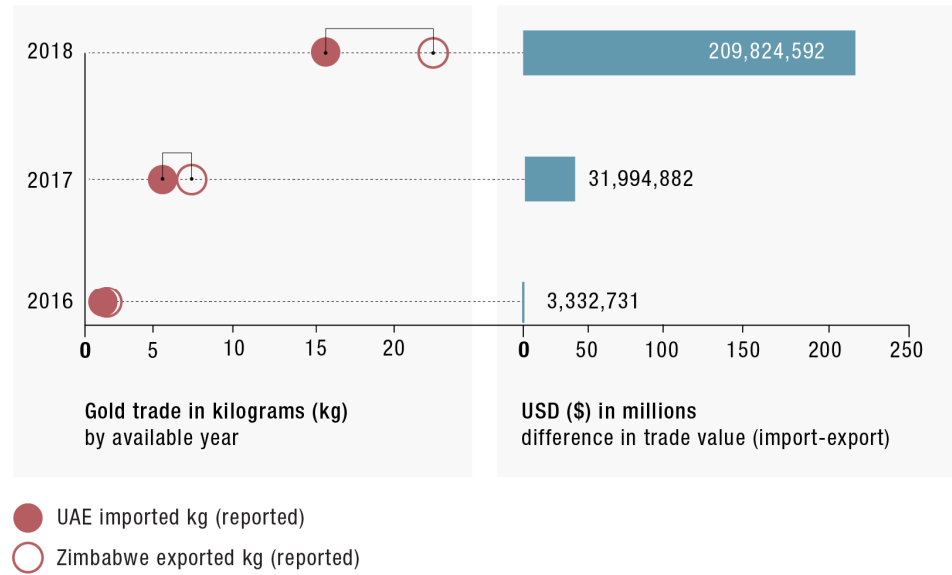
Data sources: S&P, Natural Earth, OECD

Appendix F: World Gold Price and Illustration of FPR Gold Price



Data sources: IMF, Zimbabwe Market Watch, Trading Economics

Appendix G: Gap between Zimbabwe's Gold Exports and UAE Imports



Data source: UN COMTRADE

Appendix H: About the International Crisis Group

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Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

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