



## DINDE VILLAGERS PETITION PARLIAMENT

*By Simiso Mlevu Posted April 12, 2021 In Front*

Dinde villagers have petitioned the Parliament of Zimbabwe to investigate the legitimacy of the Environmental Impact Assessment report submitted to the Environmental Management Agency (EMA) by Geovannah Consultancy on behalf of Beifer Investments which is owned by some unnamed Chinese nationals who claim to have obtained a Special Grant from President Mnangagwa for coal exploration in Dinde Communal Lands.

The Dinde community in Hwange Rural has been locked in a stand-off with the Chinese nationals, who have the backing of the Zimbabwe government, over the proposed coal project which they want to be stopped as it infringes on their land and environmental rights. They contend that although they never consented to the project they were shocked to see documents purporting the community had consented.

Respectfully show that your Petitioners:

i. Being citizens of Zimbabwe whose rights are enshrined and protected by the Constitution of Zimbabwe.

ii. Residing at Katambe village in Dinde communal lands under Hwange Rural District Council

**RECOGNISING** that the Constitution of Zimbabwe mandates Parliament of Zimbabwe to make laws, carry out executive oversight and discharge a representative role, as well as protect the Constitution and democratic governance in Zimbabwe;

**COGNISANT** that Section 59 of the Constitution of Zimbabwe grants every person the right to present petitions.

**CONSCIOUS** that Section 149(1) gives every citizen and permanent resident of Zimbabwe has the right to petition Parliament to consider any matter within its authority.

“Your petitioners are mindful of the fact that section 13(2) of the Constitution states that the State and all institutions and agencies must endeavour to facilitate rapid and equitable development and that people must be involved in the formulation and implementation of development plans and programs that affect them.”

They also want the Parliament of Zimbabwe to determine whether EMA properly discharged its mandate in the handling of the impact assessment of the proposed mining venture in Dinde and also to investigate the conduct of Geovannah Consultancy and all the Environmental Impact Assessment Reports they submitted to EMA.

In the petition, Dinde villagers argued that the conduct of EMA has to be investigated because the environmental body regulates, monitors, reviews, and approves environmental impact assessments in terms of Section 10(1)(v) of the Environmental Management Agency Act. They also argued that the Director-General of the Environmental Management Agency is the one who issues licenses to Environmental Impact Assessment (EIA) consultants under Section 7 of the Environment Management Act (Environmental Impact Assessment & Ecosystems Protection) Regulations of 2007.

“The Environmental Management Agency accredited Geovannah Consultancy to be Environmental Impact Assessment consultants.

“Your petitioners are informed that Geovannah Consultancy was engaged by Beifer Investments to undertake an Environmental Impact Assessment of a mining project to be implemented in Dinde.

Katambe villagers in the Dinde area, who are peasant farmers, would naturally be affected by any proposed mining operations in their midst. They are therefore a stakeholder. Your petitioners believe that Geovannah Consultancy, acting on behalf of Beifer Investments, ought to have engaged the community in the EIA consultative processes. However, the consultations never included affected community members, if ever there were any stakeholder consultations,” reads the petition.

NOW, THEREFORE, your petitioners wish to bring it to the attention of the August House that:

1. Section 10(1)(v), the Environmental Management Agency Act sets out the powers of the Environmental Management Agency (EMA) concerning environmental impact assessments. The EMA regulates, monitors, reviews, and approves environmental impact assessments.
2. The Director-General of the Environmental Management Agency issues licenses to Environmental Impact Assessment (EIA) consultants in terms of Section 7 of the Environment Management Act (Environmental Impact Assessment & Ecosystems Protection) Regulations of 2007.
3. The Environmental Management Agency accredited Geovannah Consultancy to be Environmental Impact Assessment consultants.
4. Your petitioners are informed that Geovannah Consultancy was engaged by Beifa Investments to undertake an Environmental Impact Assessment of a mining project to be implemented in Dinde.
5. Katambe villagers in the Dinde area, who are peasant farmers, would naturally be affected by any proposed mining operations in their midst. They are therefore a stakeholder. Your petitioners believe that Geovannah Consultancy, acting on behalf of Beifa Investments, ought to have engaged the community in the EIA consultative processes. However, the consultations never included affected community members, if ever there were any stakeholder consultations.
6. Your petitioners are alive to the requirements of administrative justice provided for under section 68 of the Constitution of Zimbabwe.
7. Section 97(1) of the Environmental Management (Environmental Impact Assessment & Ecosystems Protection) Regulations aforementioned provides a list of projects for which

According to Dinde Residents Association, from February 2019 to December 2019, a team of Chinese nationals toured the village without consulting or engaging locals. In December 2019, the same team brought some lightweight machinery and set up a camp behind one Emelia Mukombwe's homestead within the village – where they intended to start drilling. Locals approached the Chinese, who failed to produce documents authorising them to explore the area. The Chinese intended to drill 13 holes in a straight line of a 1, 9-kilometre stretch without due care of what was in that path.

In a show of resistance, locals ordered them to leave and return with documents permitting them to work in Dinde. Thereafter, the Chinese investors returned to Dinde with several officers from the Environmental Management Agency, Hwange Rural District Council, Traditional Leadership, Zimbabwe Republic Police, Zimbabwe National Army and a local miner, to coerce the villagers.

On the 8th of January 2020, a delegation of local community members was dispatched to Hwange Rural District office to establish the legality of the operations by the Chinese. According to Dinde Residents Association, Hwange RDC Chief Executive Officer, Mr Phindile Ncube told them that the Chinese had a Special Grant for exploration. According to the Mines and Minerals Act, in Zimbabwe, special grants are issued by the President in respect to land reserved against prospecting, like the communal land.

On the 11th of June 2020, the Chinese are said to have returned to Dinde village again, this time in the company of Chief Charles Nekatambe, a Mr Ncube and a Chilota Colliery Company (Pvt) Limited proprietor, Mr Lazarus Kwidini. The Chief, Mr Kwidini and Mr Ncube are said to have acted as gatekeepers, barring interaction between the locals and the Chinese nationals. Mr Kwidini reportedly told the villagers that these Chinese were working on Chilota Colliery's concession while Chief Nekatambe reportedly intimidated villagers, threatening to get the villagers arrested.

To date, the government has not revealed the beneficial owners of Biefer Investments. The heavy presence of security forces at the meetings held to coerce the community into accepting the project indicates the involvement of powerful government officials in the deal.

The Chinese returned to Dinde again on the 11th of November and 15 December 2020 accompanied by the same people who included traditional leadership, state security agents and EMA officials. Threats were issued again in a bid to muzzle the community's freedom of expression and their 'Right to Say No' to destructive development projects.

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