



CRAAD-OI
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Press release

Governance of the mining sector in Madagascar: the Court of Auditors found the Base Toliara project guilty of serious irregularities denounced by local communities and civil society.

On September 9th 2020, the Court of Auditors unveiled the results of the Compliance Audit of the process applicable to the granting of the mining permits and the environmental certification of the Base Toliara project, which is the first of its kind in Madagascar. The signatories of this press release congratulate the Court of Auditors for this initiative and for the objectivity it has shown, in spite of the limitations imposed on it, notably the impossibility for the audit to take into account the impacts of this mining project on other fundamental rights of the populations concerned, such as the health problems and loss of livelihoods. Indeed, Madagascar is in dire need of such initiatives to restore the population's confidence in the State institutions.

This audit of the Court of Auditors has, among other things, highlighted irregularities relating to the granting of permits to the Base Toliara project, thus justifying the questions that have been raised on this subject by civil society organizations for several years, as well as the suspicions of corruption already raised by the affected communities.

In addition to the inadequate consideration of the environmental impacts of this mining project on sensitive and protected areas, the results of the audit also revealed non-compliance with the law governing land tenure, including the land rights of the traditional occupants, not to mention the violation of the rights of public authorities relating to the public and private domains.

Non-compliance with the legal provisions and regulations in force relating to expropriation for public utility purposes in the context of a mining project as well as various shortcomings in the public consultation procedure were also reported. Moreover, the Court of Auditors strongly recommended the integration of civil society organizations in the evaluation of the environmental impact assessment process.

Among the various reactions following the presentation of these audit results by the Court of Auditors, a communication campaign in favor of the Base Toliara project was again orchestrated last September 10 by its promoters around donations of an amount of 150,000 USD granted by this company within the framework of the fight against Covid-19, and this despite the suspension of its operations and communications activities decreed by the authorities in November 2019, which is still in force. As the signatories to this press release had already reported, it is obvious that this Covid-19 crisis is being used to divert the attention and vigilance of the populations and other stakeholders in the face of the serious infractions and problems related to the Base Toliara project that have recently been pointed out by the Court of Auditors.

The irregular, and therefore illegal, way by which the mining and environmental permits for the Base Toliara project has been granted, the risks of corruption related to such irregularity, as well as the seriousness of the irreversible impacts of this project on the fundamental human rights of the affected communities, do not in any way allow for any negotiations concerning the resumption of this project to be envisaged, and should constitute an irrefutable reason for its final shutdown.

We thus urge the Malagasy State authorities to take all necessary measures to give effect to the recommendations of the Court of Auditors in the context of any future mining permit granting procedures, and to finally respond to the call of the affected communities to proceed immediately to the final shutdown of the Base Toliara project.

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