

Thematic Social Forum on Mining and Extractive Economy

RIGHT TO SAY NO: LEARNING FROM GLOBAL STRUGGLES¹

The **Right to Say No** is a permanent process of mobilization and affirmation of a territory's desire to remain **Free from extractives activities**. The devastating impacts of corporate extractives, which violate human rights and the rights of nature are still a big challenge. State laws and mechanisms are far from protecting peoples and places. Although in many countries, the law provides communities and nature with several safeguards, they are being ignored or partially enforced.

Political and historical contexts drive movements to aspire to the "Right to Say No", implying a variety of strategies. Africa, Latin America and much of Asia-Pacific carry a history of colonialism. Extractives industries maintain characteristics of a colonial enterprise: subjugating territories and populations for the consumer expansionism of the developed countries. Mining, oil, gas, industrial agriculture, fishing, and forestry corporations have become more powerful and influential in the politics and governance of our countries. Both corporations and governments have justified mega extractive projects as necessary for development and as trade-offs for economic growth. On the other hand, Europe, North America and increasingly China and India, are major consumers, importers of raw materials and players in the global extractives services sector. They have diplomatic support and host many extractives multinationals, industry lobbying organizations and large financial institutions that support extractive operations.

Mining companies have continued to operate despite the realities of the COVID19 pandemic, putting people at risk.

Current documentation points to expanded and more aggressive operations of mining projects, during the pandemic. Governments have appealed to the "post-pandemic economic recovery" to pass new regulations that benefit the mining industry at the expense of local communities, including significant weakening of environmental laws and policies and new regulations that favor the extractives industries. Mining companies have received significant financial benefits from governments. Lockdown restrictions have made grassroots resistance much more dangerous, giving another pretext for the criminalization of land defenders. However, land defenders have continued to mobilize and resist despite the challenges of this pandemic.

TSF-Mining and the Extractives Economy held a series of webinars to find common ground, taking into account the differences in understanding of the "Right to Say No". Distinct strategies with varying levels of decisiveness and success are taking place around the world. It is important to highlight the **women leading the struggle to "say No!" to destructive mining**. As stated by the Asia-Pacific presentation, at the final Global Webinar: a) they facilitate organizing the local communities; b) leading the public actions against destructive activities that destroyed their farms and fishing grounds; and c) bringing the fight to the gates of national leaders at the capital. It is really a more emotional image when mothers and grandmothers demand action from government officials.

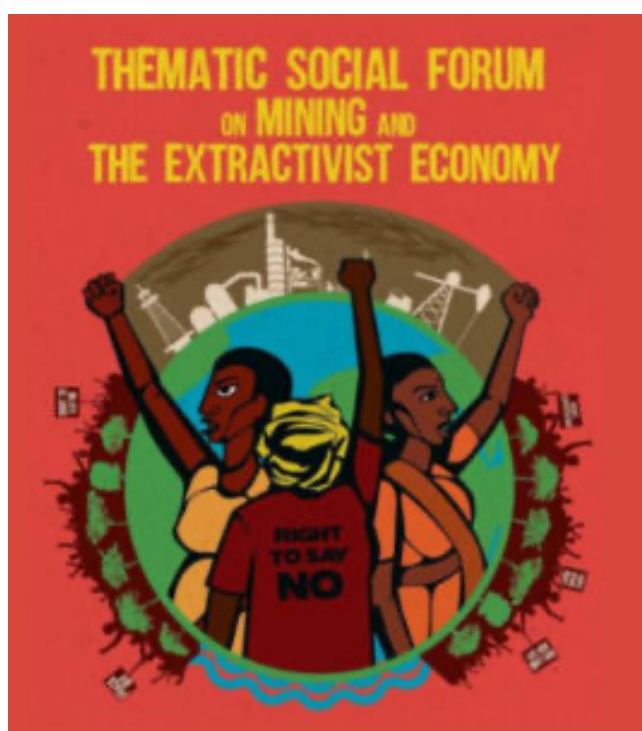
The struggle in defense of territory is one of the main expressions of confrontation with the

¹ This Concept Note on the Right to Say No Campaign is based on a series of global and regional webinars presentations, held by TSF- Mining and Extractive Economy process.

Thematic Social Forum on Mining and Extractive Economy

process of accumulation through expropriation. Declaring a territory free of mining and other extractive activities represents reaffirming the diversity of economic, cultural and environmental alternatives. By proposing to redefine decisions about territories in new terms, under other criteria, it demonstrates the importance of the struggle for territorial sovereignty and the right that communities have to decide their own future.

TSF-Mining and the Extractives Economy Final Global Webinar with speakers from Africa, Asia-Pacific, Europe, and Latin America provided strategies and proposals to **build a global campaign** affirming the communities' Right to Say No.



Three elements emerging from the "Right to Say No" in contexts of socio-political processes of resistance emerged from the webinar:

1. Struggle and dispute for normative and legal instruments that institutionalize mechanisms which condition, restrict and / or prohibit the extraction of minerals, metals, oil and gas, the dominance of the

global fishing and forestry corporations, and other mega energy and renewable energy projects.

(a) Research to identify key laws, protocols, practices that support the Right to Say No; (b) engage in legal cases and complaint processes to protect community rights and the environment; (c) petitioning parliament for new laws; (d) community public meetings and protests based on legal precedents; and (e) community engagement with corporations and public officials.

Based on the following premises: *(a) laws exist to protect us, and these laws must be properly and meaningfully implemented; (b) government exists to ensure that citizens and corporations follow the laws, rules and regulations of society; (c) new realities demand new laws and policies; (d) it is important to recognize that communities must own, manage and control access to their natural resources; and (e) the Right to Say No exactly complements these necessary evolutions and amendments of our laws.*

2. Struggles and social mobilizations in territories (local, national and international).

(a) To oppose the unequal control over common goods and the environmental injustice that is central to extractive industries' expansion; (b) to defend and propose projects that conserve biodiversity and generate social and economic benefits, directly or indirectly, for the whole of society; (c) to mobilize to exercise a political practice of autonomy and solidarity; (d) to demand a just transition and full restitution for violations and socio-environmental impacts.

These are based on: *(a) Questioning the nature and validity of current democratic structures; (b) rejection of instrumental relations with Nature and community; (c) advocating for local, non-extractive and sustainable livelihoods; and (d) challenging*

Thematic Social Forum on Mining and Extractive Economy

policies and assumptions based on constant economic growth.

3. Strategies

(a) Build political processes of broad alliances at national and international level; (b) narrative that mobilizes public opinion; (c) popular consultations / local referenda; (d) media campaigns; (e) documentation, gathering evidence and using factual data to inform our arguments; (f) build community capacity; and (g) build networks, generate solidarity and popularize the struggles.

Proposal for common key issues for global campaigns on the Right to Say No:

1. Reaffirm the current struggle at the community level to reclaim sovereignty,

control and management of natural resources in their territories.

2. Connect the community struggles into broad, national, regional and international struggles for the preservation of the rights of indigenous and local communities, while supporting alternatives.

3. Reject the instrumentalization of the relations with Nature and community and question the nature and validity of current undemocratic and pseudo-democratic structures.

4. Demand Just Transitions, full restitution, reparations and justice for violations and socio-environmental impacts, in the struggle for territories free from extractives.

5. Hold corporations and governments accountable for crimes against people and the environment. Paying a fine is not enough.