

# Socio-legal Reflections on Zimbabwe's Lithium Industry: The Role of Public Participation in Resource Governance and Environmental Justice

H Mutlokwa\* and C Okoloise\*\*

Online ISSN  
1727-3781

P·E·R

Pioneer in peer-reviewed,  
open access online law publications

## Authors

Hoitsimolimo Mutlokwa  
Chairman Okoloise

## Affiliation

University of the Free State,  
South Africa  
University of South Africa

## Email

Mutlokwa.H@ufs.ac.za  
chairmanokoloise@gmail.com

## Date Submitted

18 March 2024

## Date Revised

17 April 2025

## Date Accepted

17 April 2025

## Date Published

26 June 2025

## Editor

Prof Natasha Ravyse

## Journal Editor

Prof Wian Erlank

## How to cite this contribution

Mutlokwa H, Okoloise C "Socio-legal Reflections on Zimbabwe's Lithium Industry: The Role of Public Participation in Resource Governance and Environmental Justice" *PER / PELJ* 2025(28) - DOI  
<http://dx.doi.org/10.17159/1727-3781/2025/v28i0a18234>

## Copyright



## DOI

<http://dx.doi.org/10.17159/1727-3781/2025/v28i0a18234>

## Abstract

Zimbabwe has one of the largest lithium deposits in Africa. As the world strives to decarbonise and to relinquish energy sources that produce harmful emissions, the demand for lithium is rising to astronomical levels. Zimbabwe's lithium is a prime target for the producers of lithium-ion batteries used in electric cars, smartphones, laptops, and solar panels for domestic use. However, Zimbabwe's law and mining policy need to include measures to ensure that citizens properly participate in and profit from its extractive activities, including the mining of lithium. Outdated mining legislation and past experience show that the exploitation of a resource can be a curse in Zimbabwe, as in the smuggling of diamonds and the sequestration of the wealth generated by gold mining to only a few individuals. Public participation in decision-making in the lithium industry is a scarce commodity, and it is generally expected that a repeat of the catastrophic circumstances of Zimbabwean gold and diamond mining is likely to be seen in the lithium industry. This article examines the social implications of the lack of effective regulation of Zimbabwe's lithium industry. It assesses Zimbabwe's current decision to ban raw lithium exports and answers the question whether this has positive social implications for communities that live near lithium deposits.

## Keywords

Access to information; public participation; healthy environment; unfair labour practices; transparency; lithium trade

.....

## 1 Introduction

The significance of effective public participation in consultation processes cannot be overemphasised in the development of a nation's mineral resources. In the particular context of the global energy transition, as the world gradually turns from fossil fuels to renewables, the global demand for critical minerals has steadily increased, inducing countries endowed with abundant stocks of lithium to take notice. This is not only because such minerals are pivotal for global climate action but also because they underpin much of the technology that the world needs to make the transition. As the production costs of these strategic minerals increase, not only is there a risk of supply chain disruption, but there is also a risk that the public acquisition or sequestration of land on which such minerals are located will become more prevalent.<sup>1</sup>

In 2023, the global trade in lithium was estimated at USD\$ 31.49 billion.<sup>2</sup> With demand expected to continue to rise, countries contributing to the global supply of lithium metal, lithium ore, spodumene ( $\text{LiAlSi}_2\text{O}_6$ ) or lepidolite ( $\text{K}(\text{Li},\text{Al})_3(\text{Si},\text{Al})_4\text{O}_{10}(\text{F},\text{OH})_2$ ), such as Zimbabwe, are poised to become global players in the lithium trade. The lithium rock deposits found in Zimbabwe are of a high quality similar to those found in China, Australia, Canada and Portugal.<sup>3</sup> As the only country in Africa among the top ten exporters of lithium, this presents not only an opportunity for Zimbabwe to benefit economically, but also a challenge to the protection and enjoyment of the human rights of those who should be enabled to participate in the resource development process and to the maintenance of a healthy environment for the individuals and communities from whose land the lithium deposits are to be extracted.

Despite having a rich array of natural resources already under development, such as gold, diamonds, platinum, lithium, chrome, natural gas, uranium, coal, copper, nickel, iron ore and tantalite, Zimbabwe's economic

---

\* Hoitsimolimo Mutlokwa. LLB, LLM (North-West University), PhD (Koç University). Post-Doctoral Researcher, Department of Mercantile Law, Faculty of Law, University of the Free State, South Africa. E-mail: Mutlokwa.H@ufs.ac.za. ORCID: <https://orcid.org/0000-0002-9068-5933>.

\*\* Chairman Okoloise. LLB (Ambrose Alli), BL (Nigerian Law School), LLM (*cum laude*), LLD (University of Pretoria). Postdoctoral Fellow, Department of Jurisprudence, College of Law, University of South Africa. Email: chairmanokoloise@gmail.com. ORCID: <https://orcid.org/0000-0003-1400-649X>. Okoloise is also currently an External Expert on the Working Group on Children's Rights and Business, African Committee of Experts on the Rights and Welfare of the Child.

<sup>1</sup> Mohamed-Katerere "Mutually-reinforcing Transgressions of Justice" 17-45; Moyo, Chambati and Yeros "Land and Natural Resources in Zimbabwe" 225-253.

<sup>2</sup> Skyquest 2024 <https://www.skyquestt.com/report/global-lithium-market>.

<sup>3</sup> Heredia, Martinez and Urtubey 2020 *JE & NRL* 216, 217.

advancement remains blindsided by the challenges of corruption and a lack of transparency.<sup>4</sup> In recent years, the country has made the news over the secrecy and corruption involved in its transactions pertaining to the trade in diamonds and gold, and most recently in lithium.<sup>5</sup> In 2022, a shocking documentary by Al Jazeera titled *Gold Mafia Parts 1-4* revealed how political elites and their cronies smuggle gold out of Zimbabwe and bring in hard United States (US) dollar currency back to the country from the Middle East market.<sup>6</sup>

In the wake of the expansion of Zimbabwe's lithium mining sector, this article therefore seeks to examine the extent to which the rights of interested individuals and host communities to public participation and environmental justice are protected by the government of Zimbabwe. This is especially relevant, both in the light of Zimbabwe's dark past of secrecy and lack of transparency in the gold and diamond mining sectors and in the light of its international human rights obligations to the citizenry. The pursuit of transparency, human rights accountability and environmental justice<sup>7</sup> necessitates that the activities of the government and corporate actors in the Lithium mining sector must be continuously scrutinised to ensure that the general public and communities proximate to lithium mines have ample access to information about the extractive contracts and activities, participate fully in public consultations, benefit from the trade, and are adequately protected from environmental despoliation.

Adopting a multidisciplinary approach to evaluating the Zimbabwean lithium mining industry, this article will endeavour to examine the significance of public participation by mining-affected rights-holders to the advancement of environmental justice in the country. The multi-disciplinary socio-legal approach adopted is basically a theoretical evaluation that seeks to examine the application of law in its political, social and economic contexts.<sup>8</sup> Moving beyond the study of black-letter human rights law to explore law in action in Zimbabwe, this approach to legal research offers a broader, interdisciplinary perspective that situates law within a broader milieu. It acknowledges that human rights standards are not merely a system of rules to be interpreted in isolation but are deeply embedded in the structures and dynamics of Zimbabwean society.

---

<sup>4</sup> Adebanjo and Adeoye 2022 *JESE* 13-24; Muzurura 2019 *Humanities and Social Sciences Letters* 105-122.

<sup>5</sup> Chiweshe *et al* 2013 <https://tizim.org/wp-content/uploads/2020/07/TI-Z-2013-Report-on-Land-Sector-Governance.pdf>.

<sup>6</sup> Al Jazeera Investigative Unit 2023 <https://www.aljazeera.com/news/2023/4/14/six-secrets-uncovered-by-al-jazeeras-gold-mafia-investigation>.

<sup>7</sup> Heredia, Martinez and Urtubey 2020 *JE & NRL* 216, 219.

<sup>8</sup> Howard 2015 *Oñati Socio-legal Series* 1212.

The analysis in this article is segmented into five main sections. With this first section providing a useful context for our key arguments on the risks to human rights and the likelihood of the perpetration of environmental abuses in the exploitation of lithium in Zimbabwe, the next section will consider the legal and theoretical framework on public participation as an important element for the advancement of environmental justice in the country. The third section will examine Zimbabwe's lithium industry by assessing the political, economic and social contexts of the country and the influence of China in Zimbabwe's lithium exports. The fourth section will consider Zimbabwe's ban on exports of raw lithium in order to boost its local content development policies. The fifth section will assess the opportunities for the protection of the right to public participation in resource governance in Zimbabwe, particularly as it pertains to the lithium industry. The last section will conclude the article and, where relevant, make appropriate recommendations.

## 2 Theoretical and legal frameworks on public participation

Conceptually speaking, public participation in resource governance involves the free engagement of concerned stakeholders in decision-making processes about policies, plans or programmes in which they have an interest.<sup>9</sup> It is motivated by the imperative to ensure accountability and transparency in governance systems.<sup>10</sup> Over the course of the last several decades, public participation has become a necessary feature of public policy-making. The right to public participation in democratic governance is firmly enshrined in international law. For instance, Article 21 of the *Universal Declaration of Human Rights*, 1948, affirms the right of everyone to participate in the democratic governance of his or her country. This includes the right to contribute to and participate in key decision-making processes in the country.<sup>11</sup> This right to participate in representative governance is also enshrined in Article 13 of the *African Charter on Human and Peoples' Rights*.<sup>12</sup>

The rights of people to participate in the key decision-making processes affecting them are reiterated in numerous environmental and human rights "soft law" instruments. The 1992 *Rio Declaration on Environment and Development* makes a significant normative contribution to the discourse on public participation. Principle 10 states that environmental issues are best handled with the participation of all concerned citizens at the relevant level.<sup>13</sup> Effective participation entitles an individual to information related to

---

<sup>9</sup> Quick and Bryson "Public Participation" 158.

<sup>10</sup> Quick and Bryson "Public Participation" 159.

<sup>11</sup> Article 19 of the *Universal Declaration of Human Rights* (1948).

<sup>12</sup> Article 9 of the *African Charter on Human and Peoples Rights* (1981).

<sup>13</sup> Principle 10, *Rio Declaration on Environment and Development* (1992).

the environment which is in the possession of public authorities.<sup>14</sup> The state is responsible for encouraging public awareness and participation by making the necessary information available.<sup>15</sup> The Sustainable Development Goals are the first point of reference. Sustainable development is critical to the state's constitutional obligation in realising civil, political, economic, social and cultural rights as enshrined in the state's constitution.

We consider the assessment of some scholars on the importance of public participation under international and regional instruments to gauge Zimbabwe's commitment to public participation and environmental justice in the lithium mining sector. Quick and Bryson describe participation as a crucial concept of government that entails direct or indirect involvement through representatives acting in the interests of their communities.<sup>16</sup> They assert that public participation involves key stakeholders such as groups or organisations that have a crucial role in the policy decision-making process. Such interaction between political leaders and communities, non-profit organisations, business organisations and government agencies will reduce the deprivation of the communities in whose territories the mining takes place.

A prime purpose of public participation is to ensure that government policy, choice of programmes, and decisions taken truly address public needs.<sup>17</sup> A major challenge preventing the success of public participation is that it is often insufficiently inclusive. Public participation may sometimes not create an opportunity for people to express different perspectives on an issue.<sup>18</sup> Even though social media platforms are available to make people aware of situations, this is barely enough to ensure effective participation.<sup>19</sup> Barton suggests that public participation has seven key elements: (i) education, (ii) access to information, (iii) having a voice in decision-making, (iv) transparency of the decisional process, (v) post-project analysis and monitoring, (vi) enforcement, and (vii) recourse to independent tribunals for redress.<sup>20</sup> Sustainable development and local benefit agreements are important in putting all these elements under one umbrella.<sup>21</sup> Public participation is ideal as a means of determining how natural resources are to be managed because environmental decisions strongly impact citizens'

---

<sup>14</sup> Principle 10, *Rio Declaration on Environment and Development* (1992).

<sup>15</sup> Principle 10, *Rio Declaration on Environment and Development* (1992).

<sup>16</sup> Quick and Bryson "Public Participation" 158.

<sup>17</sup> Quick and Bryson "Public Participation" 161.

<sup>18</sup> Quick and Bryson "Public Participation" 163.

<sup>19</sup> Quick and Bryson "Public Participation" 165.

<sup>20</sup> Barton "Underlying Concepts and Theoretical Issues in Public Participation in Resource Development" 79.

<sup>21</sup> Barton "Underlying Concepts and Theoretical Issues in Public Participation in Resource Development" 79.

lives.<sup>22</sup> These key elements of public participation produce different positive and negative results in different types of government.

Public participation can be further considered within the framework of two political theories, namely: (i) rational elitism, and (ii) participatory and deliberative democracy. We will attempt to expatiate on these two concepts below.

## **2.1 Rational elitism**

The term "rational elitism" refers to decision-making entrusted to experts for the overall benefit of society. This concept aligns with elite theory, which suggests that a minority – often comprised of individuals with superior intellect, wealth or specialised knowledge – will inevitably dominate the majority in societal affairs.<sup>23</sup> Historically, the dominance of the elite has manifested in various forms, such as familial dynasties, military juntas or religious hierarchies. Today, certain political systems, such as that of China, are often cited as examples where state agencies led by a select group ostensibly represent the people's interests. In such systems, individuals or groups opposing state-sanctioned resource allocation may find themselves at odds with the government, especially when public participation is limited or discouraged.<sup>24</sup> Any persons who objects to how resource development is allocated are likely to clash with the state.

Proponents of rational elitism argue that involving the general public in complex decisions, such as those related to natural resource extraction, can lead to inefficiencies and delays. They contend that experts equipped with specialised knowledge are better positioned to make objective decisions, free from the biases and emotional responses that might characterise public opinion.<sup>25</sup> An example may be used of the captain of a ship, who does not question the navigator's technical skill. This is contrasted to the situation on board a democratic ship, where the navigator would be unable to navigate because his decisions would lead to endless quarrelling among the crew.<sup>26</sup>

However, an appropriate criticism would be that while expert input is invaluable, dismissing public participation overlooks the democratic principles of inclusivity and transparency. Public consultation processes, even if time-consuming, serve as foundational elements of democratic

---

<sup>22</sup> Barton "Underlying Concepts and Theoretical Issues in Public Participation in Resource Development" 82.

<sup>23</sup> Christiano "Rational Deliberation between Experts and Citizens" 27-51; Fricker 1998 *Proceedings of the Aristotelian Society* 159-177.

<sup>24</sup> Barton "Underlying Concepts and Theoretical Issues in Public Participation in Resource Development" 85.

<sup>25</sup> Li 2022 *Journal of Chinese Governance* 164.

<sup>26</sup> Barton "Underlying Concepts and Theoretical Issues in Public Participation in Resource Development" 86.

systems and ensure that diverse perspectives are considered and that decision-making processes maintain legitimacy.<sup>27</sup> For instance, in environmental decision-making public involvement has been shown to enhance the quality and acceptance of the policies adopted, as it incorporates local knowledge and addresses community concerns. The situation in Zimbabwe illustrates the tensions that can arise when public consultation is bypassed. In the development of lithium resources, the exclusion of local communities and other critical stakeholders under the pretext of avoiding delays has led to criticisms regarding the undermining of democratic processes and potential socio-economic repercussions for those directly affected.<sup>28</sup> Such approaches can result in conflicts, reduced trust in the authorities, and challenges in policy implementation.

## **2.2 Participatory and deliberative democracy**

This school of thought posits that public participation is indispensable for fostering political efficacy. It particularly emphasises that individuals are more engaged with decisions impacting their immediate surroundings than those at the national level. Participatory democracy presupposes that the ordinary person is more interested in decisions closer to home than at the national level. Participatory democracy is relevant to movements like environmental activism and equitable resource governance. However, a critical examination of the classical theory of liberal democracy reveals that structural elements of society often inhibit the ability to genuinely participate in public life. This school of thought can be linked to Jürgen Habermas' Theory of Communicative Action and Ethics.<sup>29</sup>

A significant challenge in actualising effective public participation lies in the predominance of scientific reasoning over other valid forms of discourse. Habermas' concept of communicative action calls for a level playing field where diverse viewpoints are equally valued, in a way that promotes cooperation across different social and cultural contexts.<sup>30</sup> However, achieving consensus, as Habermas envisions, is often difficult. Scholars like James Bohman argue that such consensus is nearly unattainable, suggesting that democratic processes should instead focus on enabling communities to influence agreements and make necessary revisions,

---

<sup>27</sup> Macias 2010 <https://ucalgary.scholaris.ca/server/api/core/bitstreams/95636305-de0b-4231-946a-2f19a8f91776/content> 12.

<sup>28</sup> Chiweshe *et al* 2013 <https://tizim.org/wp-content/uploads/2020/07/TI-Z-2013-Report-on-Land-Sector-Governance.pdf>.

<sup>29</sup> Habermas *The Theory of Communicative Action Vol I* 86. Also see Macias 2010 <https://ucalgary.scholaris.ca/server/api/core/bitstreams/95636305-de0b-4231-946a-2f19a8f91776/content> 12.

<sup>30</sup> Macias 2010 <https://ucalgary.scholaris.ca/server/api/core/bitstreams/95636305-de0b-4231-946a-2f19a8f91776/content> 15.

thereby enhancing deliberative democracy.<sup>31</sup> In the realm of environmental decision-making, scholars like Macias argue that it is essential to have public participation that compels governments to address underestimated or ignored problems. Essentially, public participation ensures that decision-makers can gain early knowledge of the possibility of negative outcomes and deal with them.<sup>32</sup>

### **3 Zimbabwe's lithium mining industry: Socio-legal challenges and China's influence**

The trajectory of Zimbabwe's lithium mining industry has been significantly influenced by the dynamics of the historical and contemporary relationship between Zimbabwe and China, which presents both opportunities and challenges in the socio-legal landscape. The foundation of Zimbabwe's relationship with China dates back to the liberation struggle (1966-1979), during which China provided military training, weapons and ideological support to the Zimbabwe National Liberation Army (ZANLA).<sup>33</sup> Early in Zimbabwe's liberation struggle, Chinese support for ZANLA helped cement an enduring bond that has, over subsequent decades, evolved into a comprehensive economic and political nexus. This historical relationship has effectively facilitated China's contemporary role as a principal investor in Zimbabwe's extractive industries, including the emergent lithium mining sector.<sup>34</sup>

#### **3.1 Zimbabwe's political dependence on the extractive industries**

While public participation requires increased transparency, inclusivity and deliberative legitimacy from the government in terms of its exploitation of Zimbabwe's mineral resource endowments, the state's increasingly close ties with China have had a two-pronged debilitating impact on the economy. Not only has it served as a counterweight to deteriorating relations with Western nations – exemplified by sanctions under the US *Zimbabwe Democracy and Economic Recovery Act* of 2001 (ZIDERA), but it has also precipitated significant governance challenges. The implications of ZIDERA are that certain people holding high government positions and people affiliated with the ruling party are banned from entering US territory, and their assets are frozen. ZIDERA also prevents Zimbabwe from accessing any credit from the International Monetary Fund (IMF) and the World Bank.<sup>35</sup> Similarly, in response to the land reform exercise and worsening human rights situation, the European Union (EU) has issued sanctions on certain

---

<sup>31</sup> Bohman 1994 *Law & Society Review* 903.

<sup>32</sup> Macias 2010 <https://ucalgary.scholaris.ca/server/api/core/bitstreams/95636305-de0b-4231-946a-2f19a8f91776/content> 8.

<sup>33</sup> Towriss 2013 *JSAS* 102.

<sup>34</sup> Ahmad 1978 *Pakistan Horizon* 63.

<sup>35</sup> Tekwa 2025 *Afrika Focus* 16.



people holding high government positions and people in the ruling party through travel bans and the freezing of their assets.<sup>36</sup>

The worsening relations between Zimbabwe and the West and the former's eventual exit from the Commonwealth coincided with increasing Chinese economic influence on trade, resource extraction and investment in infrastructure in many African nations<sup>37</sup> under the auspices of the Forum on China-Africa Cooperation (FOCAC), launched in 2000. FOCAC has seen seven ministerial conferences in the past 24 years.<sup>38</sup> Following the 2008 national elections that were marred by violence and irregularities, Zimbabwe acquired new weapons and ammunition from China.<sup>39</sup> In addition, working side by side with Russia China played a key role in vetoing United Nations (UN) Security Council resolutions imposing UN sanctions on Zimbabwe in 2008, that would have seen a travel ban imposed on President Robert Mugabe and thirteen other senior government and security officials, and a financial freeze of their assets.<sup>40</sup>

After becoming the world's second-largest diamond market after the US, China's increasing demand for diamond imports made Zimbabwe a prime investment destination, particularly following the 2006 discovery of extensive alluvial diamond deposits in Marange.<sup>41</sup> In a swift move to consolidate its political capital, the Zimbabwean government claimed exclusive mining rights over the region and opened the fields to a vast influx of over 20,000 artisanal miners.<sup>42</sup> The absence of robust regulatory oversight, however, precipitated a proliferation of illegal trading networks, with diamonds being covertly smuggled into neighbouring Mozambique and South Africa.<sup>43</sup> In response, state security forces implemented Operation Chikorokoza Chapera – a coercive initiative marked by the expulsion and arrest of non-compliant miners, widespread bribery, and the imposition of stringent checkpoints between the diamond fields and Mutare. This episode not only underscored the inherent vulnerabilities in Zimbabwe's extractive regulatory framework but also exemplified the socio-legal challenges that arise when state interests overshadow the principles of inclusive public participation and transparent resource governance.

---

<sup>36</sup> Ndakaripa 2021 *The Washington Quarterly* 98, 103.

<sup>37</sup> Mlambo, Kushamba and Simawu 2016 *The Chinese Economy* 259.

<sup>38</sup> FOCAC 2009 [http://www.focac.org/eng/ljhy\\_1/dyjbzjhy\\_1/CI12009/](http://www.focac.org/eng/ljhy_1/dyjbzjhy_1/CI12009/).

<sup>39</sup> Mahuni *et al* "Making or Breaking Zimbabwe: 1987-2020 Issues" 95-120.

<sup>40</sup> *Minutes of the United Nations Security Council, 63rd Year: 5933rd Meeting, Friday, 11 July 2008, New York* UN Doc S/PV.5933 (2008).

<sup>41</sup> Mahuni *et al* "Making or Breaking Zimbabwe: 1987-2020 Issues" 95-120.

<sup>42</sup> Towriss 2013 *JSAS* 104.

<sup>43</sup> Towriss 2013 *JSAS* 104.

Amid hyperinflationary pressures that reached staggering levels (231 000 000 per cent) in October 2008,<sup>44</sup> the government resorted to repurposing the Marange diamonds as a means of remunerating top military personnel, thereby pre-empting potential dissent within the armed forces.<sup>45</sup> Operation Hakudzokwi was subsequently launched under the guise of curbing illegal mining activities, yet it swiftly devolved into an operation wherein soldiers – enticed by secret promises of diamond-derived profits – established their own smuggling networks, resulting in significant loss of life among artisanal miners.<sup>46</sup> Evidence later emerged of collusion involving high-level officials and even reserve bank representatives, while practices such as forcing local villagers to labour further tainted the legitimacy of state actions. Not only did the Kimberley process certification scheme issue calls to demilitarise the Marange diamond fields,<sup>47</sup> but Zimbabwe's diamonds were eventually put under a temporary ban from trade due to the killing of artisanal miners at the Marange diamond fields, and illegal trading.<sup>48</sup> Later, the government embarked on a resettlement exercise of 1400 people residing in the area without proper consultation of the communities. Despite the matter being challenged in an urgent application in 2008, it was dismissed as lacking urgency and on the grounds that the applicant did not have locus standi to represent the community.<sup>49</sup>

China's influence grew with the involvement of Anjin Investments, a joint venture between the Zimbabwe Mining Development Corporation (ZMDC) and Anhui Foreign Economic Construction Limited of China. After the Chinese company had set up its operations, in 2016, a legal entity by the name of Marange Development Trust challenged the ZMDC on the grounds that the environmental impact assessment (EIA) had not yet been approved, and operations had to be halted.<sup>50</sup> The application was successful, but its impact was short-lived as the ZMDC managed to undertake an EIA.<sup>51</sup> The

<sup>44</sup> Voice of America 2009 <https://www.voanews.com/a/a-13-2008-10-09-voa23-66791002/254610.html>.

<sup>45</sup> Global Witness 2017 <https://globalwitness.org/en/press-releases/zimbabwes-vast-diamond-riches-exploited-by-secretive-political-and-military-elites-report-shows/>. Also see Martin and Taylor 2012 <https://impacttransform.org/wp-content/uploads/2017/09/2012-Nov-Reap-What-You-Sow-Greed-and-Corruption-in-Zimbabwes-Marange-Diamond-Fields.pdf>.

<sup>46</sup> Towriss 2013 JSAS 106.

<sup>47</sup> Towriss 2013 JSAS 107.

<sup>48</sup> Marima 2021 <https://foreignpolicy.com/2021/12/03/zimbabwe-diamond-mining-conflict-mineral-kimberley-process/>.

<sup>49</sup> OXFAM and Legal Resource Centre 2018 <https://lrc.org.za/wp-content/uploads/pdf/2018%20Free%20Prior%20and%20Informed%20Consent%20OXFAM.pdf> 80.

<sup>50</sup> Chingwere 2017 <https://www.sundaymail.co.zw/environment-law-delays-diamond-mining>.

<sup>51</sup> OXFAM and Legal Resource Centre 2018 <https://lrc.org.za/wp-content/uploads/pdf/2018%20Free%20Prior%20and%20Informed%20Consent%20OXFAM.pdf> 81.

ZMDC is the state-owned corporation engaged in mining activities together with the Minerals Marketing Corporation of Zimbabwe (MMCZ). These two entities have not acted credibly in the handling of minerals.<sup>52</sup> Former President Mugabe even publicly commented in a speech that the nation has not received much from the diamond industry.<sup>53</sup> Despite the Zimbabwe Consolidated Diamond Company (Private) Limited (ZCDC) receiving a qualified audit report in 2018,<sup>54</sup> the statements have not been made publicly available to date. ZMDC has failed to reveal in its financial reports what stake of shares it owns in several mines, namely Todal Mining (Private) Limited, and Gye Nyame (Private) Limited.<sup>55</sup>

The Extractive Industries Transparency Initiative (EITI) is particularly relevant to the issue of the full disclosure of beneficial ownership and the extent to which the state participates in particular extractive activities.<sup>56</sup> Resource-dependent countries have an obligation to fully disclose mineral rents and the contribution of extractive activities to the national economy. Despite calls by Zimbabwean civil society and the contribution of the EITI to boosting transparency in the extractive industries globally, Zimbabwe is yet to become a member of the EITI.<sup>57</sup> In 2012, efforts to adopt the EITI through the local version of the Zimbabwe Mining Revenue Transparency Initiative (ZMRTI) collapsed.<sup>58</sup> A failure on the part of the government to adopt the EITI compromises the nation's fiscal responsibility and leaves room for illicit financial (out)flows, tax evasion, corruption and revenue leakages. This defeats the purpose of existing accountability institutions such as the Zimbabwe Anti-Corruption Commission (ZACC), which has a mandate, among other functions, to investigate and work with the National Prosecution Authority to prosecute individuals engaged in corruption and theft of public funds.

<sup>52</sup> Martin and Taylor 2012 <https://impacttransform.org/wp-content/uploads/2017/09/2012-Nov-Reap-What-You-Sow-Greed-and-Corruption-in-Zimbabwes-Marange-Diamond-Fields.pdf>.

<sup>53</sup> Bulawayo Bureau 2016 <https://www.herald.co.zw/missing-15-billion-looters-face-probe/>. See also Noyes *New Zimbabwe* 18.

<sup>54</sup> Auditor General of Zimbabwe 2019 <https://www.auditorgeneral.gov.zw/phoca/download/Parastatals/AG%20PARA%20REPORT%202018%20June%2020%202019.pdf> 186.

<sup>55</sup> Auditor General of Zimbabwe 2019 <https://www.auditorgeneral.gov.zw/phoca/download/Parastatals/AG%20PARA%20REPORT%202018%20June%2020%202019.pdf> 134-136.

<sup>56</sup> OXFAM 2018 <https://zepar.co.zw/sites/default/files/2019-11/mining%20revenue.pdf>.

<sup>57</sup> OXFAM 2018 <https://zepar.co.zw/sites/default/files/2019-11/mining%20revenue.pdf> 5.

<sup>58</sup> Murombo 2022 *JE & NRL* 133-153.

### 3.2 Projects by China in Zimbabwe

China's impact on infrastructure and technology is seen in every corner of the world. Many developing nations are benefiting from Chinese projects as a source of raw materials for goods produced in China. It is clear that China is relentlessly dominating the world in both infrastructure projects and technology.<sup>59</sup> As China forges strong relations with African countries, its impact can be seen in the sheer number of crucial infrastructural projects that China has helped many African nations to realise. Although Chinese investment grants for projects in Zimbabwe are much smaller than those in other nations such as Kenya, Ethiopia and Tanzania,<sup>60</sup> they cannot be ignored in the ever-growing relationship between Zimbabwe and China. Cut off from major sources of international financial support such as the IMF and the World Bank, Zimbabwe's underinvestment in critical infrastructure has severely hampered its economic development.<sup>61</sup> A recent report by the United Nations Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights reveals that Zimbabwe lags behind in critical infrastructure.<sup>62</sup> With key sectors such as transport and electricity nearing collapse, the nation has increasingly turned to Chinese-led projects to bridge the funding gap.<sup>63</sup> This trend has not only facilitated a monopoly over vital resources like lithium, reminiscent of earlier dynamics seen in the Marange diamond fields, but has also exposed the systemic socio-legal challenges inherent in its extractive industries.

In the past decade, China has injected unconditional grant funding into Zimbabwe's infrastructure – power, airport and dam construction – further entrenching its influence. Major projects include a recently completed 300-megawatt thermal power station in Hwange (costing USD 1.4 billion),<sup>64</sup> the near-complete expansion of Harare's international airport (USD 153 million),<sup>65</sup> and the Gwayi Shangani dam (70% complete at USD 121 million) designed to mitigate Bulawayo's chronic water shortages.<sup>66</sup> Additionally, the

<sup>59</sup> Agarwala and Chaudhary 2021 *India Quarterly* 450-451.

<sup>60</sup> Mlambo, Kushamba and Simawu 2016 *The Chinese Economy* 263-265.

<sup>61</sup> Mlambo, Kushamba and Simawu 2016 *The Chinese Economy* 262-263.

<sup>62</sup> *Report of the Special Rapporteur, Alena Douhan, on the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights* UN Doc A/HRC/51/33/Add.2 (2022) para 49.

<sup>63</sup> *Report of the Special Rapporteur, Alena Douhan, on the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights* UN Doc A/HRC/51/33/Add.2 (2022) para 50.

<sup>64</sup> Proctor 2023 <https://www.powermag.com/new-coal-fired-unit-operating-at-zimbabwes-largest-thermal-power-plant/>.

<sup>65</sup> FOCAC 2023 [http://www.focac.org/eng/zfgx\\_4/zzjw/202306/t20230601\\_11087016.htm](http://www.focac.org/eng/zfgx_4/zzjw/202306/t20230601_11087016.htm). See also Makopa 2023 <https://www.newsday.co.zw/local-news/article/200009524/rgm-airport-rehab-97-complete>.

<sup>66</sup> Mubika 2023 <https://www.newsday.co.zw/theindependent/local-news/article/200010761/gwayi-shangani-dam-70-complete>.

new parliament building in Harare – donated by the Chinese government for USD 200 million – exemplifies China's broader strategy of leveraging infrastructural investments to secure strategic footholds in Zimbabwe's resource-rich economy.<sup>67</sup>

### **3.3 *Extracting value from mining investments through Zimbabwe's local content***

Prior to 2017, the government of Zimbabwe, in an indigenisation drive, introduced the *Indigenisation and Economic Empowerment Act* (IEEA). Section 3 of the IEEA made it compulsory for investors to cede 51% of their business interests to indigenous local Zimbabweans.<sup>68</sup> Companies involved in extracting diamonds and platinum were owned through the designated entity without any involvement of the local community or employee share ownership schemes.<sup>69</sup> This Act requires companies to cede 51% of their shares to local indigenous people. It was also meant to address the past economic inequalities resulting from colonial rule.

However, the bill was introduced when Zimbabwe had low investor confidence. With rampant corruption rising to unprecedented levels and the ruling party members using their elite status to attain wealth, the military took advantage of the situation by conducting an operation to restore order, which amounted to a military coup.<sup>70</sup> Subsequently, in the days that followed, the country's President was forced to resign because of an imminent impeachment motion by both the national assembly and senate in a joint sitting.<sup>71</sup> The current President, Emmerson Dambudzo Mnangagwa, was inaugurated on 24 November 2017 and made the statement that "Zimbabwe is open for business".

Zimbabwe committed itself to ensuring that it prioritised economic growth, respected the rule of law and re-engaged with the international community.<sup>72</sup> In other words, this meant that local and international investors could take advantage of the vast resources held by the State. In the context of mining, the IEEA was amended in 2018 to read that only diamonds and platinum were reserved for Zimbabwean citizens. Any minerals other than these two could be prospected for and mined by both foreign and local investors. In 2020, the Budget Bill - the *Finance (No. 2) Bill*

<sup>67</sup> Mutsaka 2023 <https://apnews.com/article/africa-china-asia-zimbabwe-d7176d0e7ed5997e50c89d226a34d2e9>.

<sup>68</sup> Section 3(1) of the *Indigenisation and Economic Empowerment Act*, 2018 (Chapter 14:33).

<sup>69</sup> Section 3(1) of the *Indigenisation and Economic Empowerment Act*, 2018 (Chapter 14:33).

<sup>70</sup> Tendi 2019 *African Affairs* 12.

<sup>71</sup> Burke and Graham-Harrison 2017 <https://www.theguardian.com/world/2017/nov/21/robert-mugabe-resigns-as-president-of-zimbabwe>.

<sup>72</sup> Ndakaripa 2021 *The Washington Quarterly* 99. Also see Ndakaripa 2020 *SAJIA* 364.

was published in the Government Gazette.<sup>73</sup> Regrettably, three days later, it was passed by the National Assembly and the Senate with very little debate in either house. There was minimal public participation in the consideration of a controversial clause that read:

**37 Amendment of section 3 of Chapter 14:33**

Section 3(1) of the IEEA [Chapter 14:33] is amended—

- (a) by the insertion after 'extraction of' of 'such mineral as may be prescribed by the Minister in consultation with the Minister responsible for Mines and the Minister responsible for Finance'
- (b) by the repeal of paragraphs (a) and (b).<sup>74</sup>

The result of this amendment makes minerals in Zimbabwe vulnerable to wholesale exploitation at the expense of indigenisation. It gives the minister a wide discretion to give mining concessions to foreign investors who, in this case, are mostly Chinese companies, without even considering the interests of the communities. Zimbabwe's economy is generally patronage-based, as recently exposed by the Gold Mafia documentary produced by Al Jazeera.<sup>75</sup> Opportunities in the mining sector are based on political allegiance to the ruling party. Political interference happens literally in every sector of the economy, including mining. Fifteen years after the discovery of diamonds in Marange, there appears to be little development of the communities in this area. Little information, which lacks consistency, is revealed about how much the Marange diamonds have generated in terms of revenue.<sup>76</sup>

Traditional leaders, who are crucial players in local government, are central sources of information relating to extractive activities within the communities.<sup>77</sup> They act on behalf of their communities by giving consent to mining companies and the government. In the current very polarised environment that has seen the institution of traditional leadership show its allegiance to the ruling party, it then becomes difficult for the communities to know who to trust.<sup>78</sup> This defeats the main purpose of public participation as developed by Quick and Bryson, who state that public participation is meant to ensure government policies and decisions are genuinely addressed.<sup>79</sup> Despite the production of a series of relevant economic policies by the Ministry of Finance, the mining industry remains dominated by people who openly and proudly show their support for the ruling party.

<sup>73</sup> *Finance (No. 2) Bill*, 2020.

<sup>74</sup> IEEA 37 Amendment of s 3 of *Indigenisation and Economic Empowerment Act*, 2018 (Chapter 14:33).

<sup>75</sup> Al Jazeera Investigative Unit 2023 <https://www.aljazeera.com/news/2023/4/14/six-secrets-uncovered-by-al-jazeeras-gold-mafia-investigation>.

<sup>76</sup> Murombo 2013 *Law, Environment and Development Journal* 46.

<sup>77</sup> Murombo 2013 *Law, Environment and Development Journal* 47.

<sup>78</sup> Murombo 2013 *Law, Environment and Development Journal* 47.

<sup>79</sup> Quick and Bryson "Public Participation" 161.

We can also see that in such a situation, public participation lacks the key element of granting communities a voice in decision-making.<sup>80</sup> Habermas' notion that people surrender their rights when they believe that consensus cannot be reached is rebutted by Bohman, who states that where consensus is not reached, the community still needs to have a say in the final agreement.<sup>81</sup> Participation is meant to foster individual freedoms, but it does not do so in this context. Bohman's suggestion is relevant to the context of lithium mining in Zimbabwe, especially where extractive activities in the untouched reserves have yet to commence.

#### **4 Turning Zimbabwe's lithium wealth into local productive capacity**

Lithium's increasing prominence as a critical mineral in achieving net-zero emissions in terms of the *Paris Agreement* has positioned Zimbabwe as Africa's primary source of large-scale hard rock lithium. Although its reserves do not match those of Chile, Australia and China,<sup>82</sup> they offer substantial potential to bolster the Chinese battery industry - a sector grappling with supply constraints despite vigorous demand driven by initiatives like the "Made in China 2025" plan.<sup>83</sup> Lower labour costs and reduced extraction expenses in Zimbabwe have attracted significant Chinese investment, as evidenced by major deals such as the \$422 million Arcadia mine by Zhejiang Haoyou, the \$180 million Bikita mine by Hong Kong's Sinomine, and a \$1.75 billion transfer involving Williams Minerals. These developments underscore Chinese dominance in Zimbabwe's lithium sector and raise critical questions regarding transparency, equitable benefit-sharing, and the broader socio-legal implications of resource monopolisation.<sup>84</sup>

Zimbabwe has six active hard rock lithium mines as of January 2025, at which some notable projects are currently taking place. Thus, Zhejiang Haoyou controls the Arcadia mine at the cost of USD\$422 million, and the Bikita lithium mine is 100% owned by Hong Kong's Sinomine at the cost of USD\$ 180 million. There is also a joint venture between Premier African Minerals Limited and Li3 Resources to acquire 50% ownership of the project

---

<sup>80</sup> Barton "Underlying Concepts and Theoretical Issues in Public Participation in Resource Development" 79.

<sup>81</sup> Bohman 1994 *Law & Society Review* 903.

<sup>82</sup> Heredia, Martinez and Urtubey 2020 *JE & NRL* 221.

<sup>83</sup> Institute for Security and Development Policy 2018 <https://isdp.eu/wp-content/uploads/2018/06/Made-in-China-Backgrounder.pdf> 3, 5 and 8.

<sup>84</sup> Marawanyika 2022 <https://www.bloomberg.com/news/articles/2022-01-31/zimbabwe-state-workers-want-to-negotiate-pay-in-u-s-dollar?embedded-checkout=true>.

located in Mutare.<sup>85</sup> Current deliberations pertaining to the biggest deal so far reveal that Chinese Natural Resources has agreed to purchase Williams Minerals' Lithium mine at \$1.75 billion from the Chinese Investment holding group, Feishang.<sup>86</sup> This deal is a transfer of ownership from one Chinese company to another.

#### **4.1 Trade output of lithium batteries**

China is the leading exporter of lithium-ion batteries. Its exports reach the EU and the USA, which are the world's economic hubs. In 2021, China exported 3.427 billion lithium-ion batteries, up 54.34% year-on-year, with an export value of US\$28.423 billion, up 78.32% year on year.<sup>87</sup> From January to October 2022, China had 3.195 billion lithium-ion batteries, seeing a 18.16% increase in comparison to the prior year, with an export value of US\$ 39.754 billion.<sup>88</sup> As of April 2023, China recorded about 415 067 shipments of lithium-ion batteries,<sup>89</sup> followed by Vietnam with 96 493 shipments and Germany with 91 309 shipments.<sup>90</sup> Ironically, Germany imports from China two-thirds of the so-called rare metals used to make batteries, semiconductors and magnets in electric cars.

More than 70% of the lithium-ion batteries used in both electric vehicles and solar power are produced in China.<sup>91</sup> As Europe is looking at cutting down on reliance on fossil fuels and Russian energy, there is great demand for lithium batteries, especially after the New Green Deal was signed by the bloc of twenty-seven nations to bring emissions of cars to zero by 2035.<sup>92</sup> Even though Germany is predicted to soon be the second-largest producer of lithium-ion batteries,<sup>93</sup> European nations are more likely to look for a cheaper, quality supplier of the product. Southeast Asia dominates the production of cheap, quality electronics, including lithium-ion batteries.

<sup>85</sup> Guest Contributor 2023 <https://www.esi-africa.com/renewable-energy/navigating-lithium-mining-investment-in-zimbabwe/>.

<sup>86</sup> Goosen 2023 <https://energycapitalpower.com/china-natural-resources-to-acquire-zimbabwean-lithium-mine-for-1-75b/>.

<sup>87</sup> China Research and Intelligence 2022 <https://www.giiresearch.com/report/cr1171656-research-report-on-chinas-lithium-ion-battery.html>.

<sup>88</sup> China Research and Intelligence 2022 <https://www.giiresearch.com/report/cr1171656-research-report-on-chinas-lithium-ion-battery.html>.

<sup>89</sup> Statista 2024 <https://www.statista.com/statistics/1541174/china-industry-output-valueof-lithium-ion-batteries/>.

<sup>90</sup> Volza Date Unknown <https://www.volza.com/p/lithium/export/export-from-china/>.

<sup>91</sup> Statista 2021 <https://www.statista.com/statistics/1249871/share-of-the-global-lithium-ion-battery-manufacturing-capacity-by-country/>.

<sup>92</sup> European Commission 2019 [https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC_1&format=PDF); European Commission 2023 [https://ec.europa.eu/commission/presscorner/api/files/attachment/869807/EGD\\_brchure\\_EN.pdf](https://ec.europa.eu/commission/presscorner/api/files/attachment/869807/EGD_brchure_EN.pdf) 11.

<sup>93</sup> Statista 2021 <https://www.statista.com/statistics/1249871/share-of-the-global-lithium-ion-battery-manufacturing-capacity-by-country/>.



China needs more lithium, even though it has large reserves, to enable it to continue its high output, and the most immediate all-weather friendly source is Zimbabwe.

#### **4.2 The ban on lithium exports**

In January 2023, the government issued a circular banning raw lithium exports and implementing an ambitious plan to set up manufacturing plants that make lithium-ion batteries for export.<sup>94</sup> The regulations state that no raw lithium will be exported from Zimbabwe without a permit. This is because the lithium is smuggled out of the country without people paying their dues. Artisanal miners were reportedly digging the hard rock and smuggling it out of the country for shipment abroad at a black-market rate of 10 to 20 USD per wheelbarrow.<sup>95</sup> In many cases, as also experienced by Zimbabwe in regard to Marange diamonds, governments realise a lack of benefit from extractive activities very late.<sup>96</sup> This has often resulted in corruption and corporates making large profits without any scrutiny from the government.<sup>97</sup>

However, the country has no financial potential to set up lithium processing plants and lithium-ion battery factories, and China remains Zimbabwe's most immediate strategic partner. As already revealed, Zimbabwe is struggling economically. 90% of the country's economy is informal, and the proportion of the population living in abject poverty stands at 44%. The total consolidated debt stands at \$17.5 billion.<sup>98</sup> Debt owed to international creditors amounts to \$14.04 billion, while there is \$3.4 billion of domestic debt. The debt owed to bilateral creditors is estimated at \$5.75 billion, while the debt due to multilateral creditors is estimated at \$2.5 billion.<sup>99</sup> The country is in arrears in servicing its debt.

---

<sup>94</sup> *Statutory Instrument 2022-213: Base Minerals Export Control (Lithium Bearing Ores and Unbeneficiated Lithium) Order*, 2022, gazetted 16th December 2022.

<sup>95</sup> Milewski 2023 <https://theoregongroup.com/commodities/the-emerging-lithium-powerhouse-you-never-heard-of/>.

<sup>96</sup> Murombo 2022 *JE & NRL* 136.

<sup>97</sup> Murombo 2022 *JE & NRL* 136.

<sup>98</sup> Adesina 2023 <https://www.afdb.org/en/news-and-events/speeches/speech-delivered-dr-akinwumi-adesina-president-african-development-bank-group-2nd-dialogue-platform-arrears-clearance-and-debt-resolution-process-zimbabwe-harare-zimbabwe-23-february-2023-59299>.

<sup>99</sup> Adesina 2023 <https://www.afdb.org/en/news-and-events/speeches/speech-delivered-dr-akinwumi-adesina-president-african-development-bank-group-2nd-dialogue-platform-arrears-clearance-and-debt-resolution-process-zimbabwe-harare-zimbabwe-23-february-2023-59299>.

### **4.3 Controversial issues surrounding Chinese investments**

There is limited access to information pertaining to agreements between Chinese companies and the government. The level of secrecy in regard to the agreements is a cause of concern, as citizens are prevented from having full knowledge of the activities of such Chinese companies. It is known that in February 2022, a Chinese company trading under the name of Bikita Minerals bought a large stake in Sinomine from German investors through African Minerals Ltd, which held a 55.4% stake in the mine. Otherwise, the basic requirements of transparency and full public participation seem to be lacking in the recent hive of activity on the lithium mining industry in Zimbabwe.

Two months after a ban was issued on the exportation of raw lithium, except with a permit from the Ministry of Mines, two mines were caught operating without environmental impact assessments. The Environmental Management Agency (EMA) took action only after there was a public outcry.<sup>100</sup> The two companies, namely TN Gold and Shengxiang Mining Investments, were ordered to pay \$500,000 and \$100,000, respectively as fines for not conducting EIAs. Despite the ban on the export of raw lithium, artisanal miners continue to carry out such mining illegally.

## **5 Protecting public participation in the lithium mining sector**

For the public to effectively and inclusively participate in key decision-making processes affecting them, especially where the development of lithium is concerned, the rights of individuals, groups, and host communities must be protected and enforceable by law. For this reason, it is worth considering the extent to which the right to public participation and environmental justice is protected in Zimbabwean law.

### **5.1 Right to access information as outlined in the Constitution**

To constructively engage in public discourse, not only must the citizenry be well informed, but they also need to be granted access to publicly available information about decisions made or about to be made by the government. Section 62 of the *Constitution of the Republic of Zimbabwe* gives every citizen or permanent resident, including juristic persons and the local media, the right to access information that is held by the state. This provision also guarantees the right of every person, including the local media, to access any information held by any person, including the state.<sup>101</sup>

---

<sup>100</sup> Saunyama 2023 <https://www.newsday.co.zw/theindependent/local-news/article/200008097/ema-shuts-down-2-lithium-mines>.

<sup>101</sup> Section 62(1) and (2) of the *Constitution of Zimbabwe Amendment (No 20) Act 1 of 2013* (the *Constitution of Zimbabwe*).

In the context of mining, this means that the public needs to have access to mining contracts and concessionary agreements that may also indicate details on how the mineral resources of the host communities are to be exploited.<sup>102</sup> Furthermore, section 315 of the *Constitution* makes it a requirement for an act of parliament to reveal the nature of negotiated state contracts, that may be (a) joint-venture contracts, (b) contracts for the construction and operation of infrastructure and facilities, and (c) concessions of mineral and other rights. This is to ensure transparency, honesty, cost-effectiveness and competitiveness.<sup>103</sup>

## 5.2 *Freedom of Information Act*

A critical enabler of access to information is legislation that both grants citizens access to verifiable information and provides a measure for accountability and transparency in governance. The *Freedom of Information Act* (FIA) is one such legislation, for it provides procedures for accessing information from the state. The purpose of the law is to promote transparency, accountability and effective governance, and to ensure that appropriate assistance is offered to members of the public seeking access to information. The legislation applies to public entities, public, and commercial entities and those in public office in terms of section 5.<sup>104</sup> Information must be furnished upon request in terms of section 7.<sup>105</sup> A person must apply for information in writing to the information officer in terms of section 9. The information officer must provide this information within 21 days, but the Information officer can request an extension to provide such information in terms of section 9.<sup>106</sup> An applicant can lodge an appeal before the Zimbabwe Media Commission if of the view that the extension of time is dilatory or the Information Officer did not request an extension of time from the applicant in terms of section 9. If the Information Officer fails to make a timely decision within 21 days and 14 days of extension, the request is classified as refused.

Applicants can access information relating to EIAs from the EMA. The FIA may be considered to be progressive, but it has limitations on the disclosure of information, such as the exemption of information relating to the trade secrets of a third party, the disclosure of which could cause harm to the commercial or financial interests of that third party. The *Statutory Instrument 229-2021: Freedom of Information (General) Regulations, 2021* (the Regulations or SI 229/2021) gave public institutions a grace period of six

---

<sup>102</sup> Sibanda 2019 <https://zela.org/constitutional-case-for-mining-sector-transparency-reforms-is-eiti-only-route-for-zimbabwe/>.

<sup>103</sup> Section 315(1) and (2) of the *Constitution of Zimbabwe*.

<sup>104</sup> Section 5 of the *Freedom of Information Act, 2020* (Chapter 10:33).

<sup>105</sup> Section 7 of the *Freedom of Information Act, 2020* (Chapter 10:33).

<sup>106</sup> Section 9 of the *Freedom of Information Act, 2020* (Chapter 10:33).

months to make their information public through means such as updated websites, pamphlets, etc., but few institutions have complied with this instrument. The FIA is fairly new legislation, but its implementation has started on a low note. The public interest group Zimbabwe Environmental Law Association has attempted, without any success, to obtain information on the activities of mining companies from China that are extracting lithium. Although an appeal has been made to the ZMDC, it has not borne fruit, and the next step would be to launch a high court application. Such information is critically needed such that the public knows how contracts between the government and private foreign companies are formulated.

Challenging the relevant Ministry Departments to give out information in a class action in a court of law would require the citizens to be protected from the arbitrary exercise of power by the government. Courts handling such a delicate matter through the separation of powers should not see presiding officers being controlled by the other branches of government, as seen by the theory of liberal democracy and law.<sup>107</sup> The public must have trust in the justice system to promote access to environmental justice, especially where the protection of the right to a healthy environment is concerned.

### **5.3 Right to a healthy environment and environmental justice**

The *Constitution* in section 73 makes provision for the right to an environment that is not harmful to an individual's health or well-being and to have the environment protected for the benefit of future generations.<sup>108</sup> Zimbabwe is a state party to the *African Charter on Human and Peoples' Rights*, which under Article 24 recognises the right to a general satisfactory environment that is favourable to the development of the people. This right entails that states take legal, policy and administrative measures to ensure sustainable development, and to ensure that people are not exposed to activities that are otherwise harmful to their environment, such as pollution. Zimbabwe's vegetation is dominated by savannah grasslands. A good percentage of people depend on this grassland for their livestock grazing and crops, which in turn depend on rains and rivers, which are sources or tributaries of other rivers, which lead to major dams. The nexus between people and nature invokes the constitutional right to a clean, safe and healthy environment that is not harmful to public health.

Before the current section 73 was part of the 2013 *Constitution* (as amended), there were four ways of seeking environmental justice. Firstly, this was through the provisions of the *Environmental Management Act*

---

<sup>107</sup> Barton "Underlying Concepts and Theoretical Issues in Public Participation in Resource Development" 89.

<sup>108</sup> Section 73 of the *Constitution of Zimbabwe*. See also Madebwe 2015 *AHRLJ* 121, 127-128.

(Chapter 20:27). Secondly, it was through common law. Thirdly it was through a class action and fourthly it was through approaching the Supreme Court. The *Environmental Management Act* is a leading act that speaks about natural resources. In terms of section 3(2) of the Act:

Every person has a right to-

- (b) access environmental information, and protection of the environment for the benefit of present and future generations and to participate in the implementation of the promulgation of reasonable legislative policy and other measures that-
  - (i) prevent pollution and environmental degradation; and
  - (ii) secure ecologically sustainable management and use of natural resources while promoting justifiable economic and social and social development.<sup>109</sup>

The *Constitution* and the *Environmental Management Act* explicitly grant the right to a healthy environment. As already pointed out, mining lithium is a multi-billion-dollar industry, the metal being used in batteries for electric cars and solar power in highly industrialised nations. Lithium mining must be undertaken in such a way as to prevent environmental harm for future generations and to avoid a climate catastrophe, such as that taking place in the mining of gold in all parts of the country, where environmental degradation is taking place at unprecedented levels.

Lithium production takes place in two stages: extraction and processing. Rock containing lithium is extracted from the ground using drills and explosives to break up the ore. To process the rock fragments (the ore), they are taken to a mill near the mining site and further crushed and roasted at high temperatures to create the chemical transformation of the rock.<sup>110</sup> The crushed, heated rock is cooled and further milled into a powder form. The waste is then removed from the rock substance, using a thickener filter.<sup>111</sup> Finally, soda ash is used to precipitate the lithium carbonate, which has a purity of 99 per cent. While it is not known exactly what quantity of lithium has been processed in Zimbabwe since the ban on raw lithium export in December 2022, this is likely to be the processing method used.

A second method of processing, the Brine method, involves using large amounts of water in a brine mixture containing additional materials such as sodium chloride.<sup>112</sup> The liquid form of the brine is put in ponds, where an evaporation process results in the salt ions being harvested until lithium is released. Once the lithium concentration has reached 6 000 parts per

---

<sup>109</sup> Section 3(2) of the *Environmental Management Act*, 2016 (Chapter 20:27).

<sup>110</sup> Kaunda 2020 *JE & NRL* 240.

<sup>111</sup> Kaunda 2020 *JE & NRL* 240.

<sup>112</sup> Kaunda 2020 *JE & NRL* 241.

million, lithium chloride forms.<sup>113</sup> This method is popular in Chile, Argentina and Bolivia.<sup>114</sup> In December 2022, Zimbabwean State Media revealed that two Chinese investors, Eagle Canyon International Group Limited and Pacific Goal Investment, had signed a memorandum of understanding to set up a lithium salt plant.<sup>115</sup> This project is also defined as a mine-to-energy industrial park. This project will be powered by 300 MW power stations, a coking plant, a plant to process graphite and a smelter of nickel chrome. It is expected to become operational in 2024. It is expected to be the largest lithium salt plant in Africa. This suggests that the processing of lithium will operate in a manner similar to that in the brine plants in the lithium triangle of Argentina, Chile and Bolivia. This is because large amounts of water are needed to refine the lithium into a high-grade product. The damage to the environment which will occur with such a project will be humongous. Some sources reveal that as much as 500 000 litres of water could be required to extract one tonne of high-grade lithium.<sup>116</sup> There is no indication that an EIA was carried out, and no minutes of meetings with local communities on the project's impact on their daily lives.

Water sources and grazing sources for domestic animals in Zimbabwe are insecure, meaning that the brine method should probably not be the favoured source of extraction. Not many people in rural areas have readily available access to tap water. Nor can they afford stock feeds for their cattle, sheep and goats. Most rural Zimbabweans depend on community grazing lands for their livestock, dams and community wells as water sources. Rural district councils are not in a position to provide tap water to each rural household. Lithium mining may interfere with the environment and be a threat to present and future generations. More specifically, there are environmental concerns related to soil pollution, water sources and the air which communities breathe. The EIAs of companies mining lithium are not easily and readily accessible to the public, who therefore do not know the impact they are likely to have on individuals, local populations and the environment. The insufficient data on Zimbabwe's lithium industry is not only a cause of concern but could also lead to a violation of the rights of such communities and harm the vital biodiversity in the area.<sup>117</sup>

In the case of *Social and Economic Rights Action Centre (SERAC) v Nigeria* (SERAC case), the African Commission held that Nigeria had violated the

---

<sup>113</sup> Kaunda 2020 *JE & NRL* 241.

<sup>114</sup> Global Business Reports 2021 <https://projects.gbreports.com/chile-mining-2021/lithium/>.

<sup>115</sup> Kazunga 2022 <https://www.sundaymail.co.zw/us450m-lithium-salt-plant-for-mapinga>.

<sup>116</sup> Tedesco 2023 <https://news.climate.columbia.edu/2023/01/18/the-paradox-of-lithium/>.

<sup>117</sup> *Social and Economic Rights Action Centre (SERAC) v Nigeria* (2001) AHRLR 60 (ACHPR 2001).

right of the Ogoni people to a generally satisfactory environment by failing to properly regulate the activities of Shell and other oil companies operating in the Nigerian Delta region. The Commission noted that not only should the government implement robust monitoring and ensure that communities exposed to hazardous substances receive timely and accessible information, but it should also create substantive avenues for individuals to express their views and actively influence development decisions affecting their communities.<sup>118</sup> Similarly, in numerous other cases, the Commission has affirmed the rights of individuals and groups to participate in governance either directly or through representatives.<sup>119</sup>

Acknowledging the rights of communities to freely dispose of their resources, in the case of *Centre for Minority Rights Development (Kenya) and Minority Rights Group International on behalf of Endorois Welfare Council v Kenya*<sup>120</sup> the Commission held that the displacement of the Endorois community from their ancestral land for purposes of making way for wildlife conservation and tourism amounted to a violation of the Endorois people's right to dispose of their communal property and natural resource wealth freely, and that the state has a "higher duty" to protect such groups from the challenges affecting indigenous peoples, such a lack of participation in decisions affecting their lives.<sup>121</sup> As a State party to the *African Charter*, these precedents also have legal implications for Zimbabwe.

#### **5.4 Mines and Minerals Act and its relevance to the lithium trade**

The *Mines and Minerals Act* (Chapter 21:05) regulates mining activities in Zimbabwe and requires an applicant for a mining lease to submit a development and operation plan, which details the impact of the mine on the environment<sup>122</sup> and the measures the applicant will take to assess, prevent or minimise negative impacts of the mining activities. The application with the annexed report must show how the applicant will deal with the prevention or treatment of pollution, the treatment and disposal of

<sup>118</sup> *Social and Economic Rights Action Centre (SERAC) v Nigeria* (2001) AHRLR 60 (ACHPR 2001) para 53.

<sup>119</sup> *Katangese Peoples' Congress v Zaire* (2000) AHRLR 72 (ACHPR 1995) para 6; *Jawara v The Gambia* (2000) AHRLR 107 (ACHPR 2000) para 67; *Lawyers for Human Rights v Swaziland* (2005) AHRLR 66 (ACHPR 2005) para 62-63; *Legal Resources Foundation v Zambia* (2001) AHRLR 84 (ACHPR 2001) para 72; *Purohit v The Gambia* (2003) AHRLR 96 (ACHPR 2003) paras 73, 75.

<sup>120</sup> *Centre for Minority Rights Development (Kenya) and Minority Rights Group International on behalf of Endorois Welfare Council v Kenya* (2009) AHRLR 75 (ACHPR 2009) para 248.

<sup>121</sup> *Centre for Minority Rights Development (Kenya) and Minority Rights Group International on behalf of Endorois Welfare Council v Kenya* (2009) AHRLR 75 (ACHPR 2009).

<sup>122</sup> Section 159(3)(vii) of the *Mines and Minerals Act*, 2016 (Chapter 21:05).

waste, and the measures that will be taken to rehabilitate land.<sup>123</sup> A mining lease will be granted if the applicant demonstrates adherence to the above environmental measures in the Act. Nothing has been revealed to the public regarding EIAs conducted by such Chinese companies in any of the deals in which they are involved. The lithium trade lacks serious transparency, and it has no clear outlook on how communities where lithium is located will benefit. It looks as if Zimbabwe risks repeating its historical mismanagement of natural resources in the pursuit of the lithium trade.

### **5.5 Companies and Other Business Entities Act (Chapter 24:31)**

The key provisions of the *Companies and Other Business Entities Act* (Chapter 24:31), which are essential to understanding what is meant by public participation and access to information, are sections 82, 187 and 167. Section 82 states that within 28 days of the transfer of shares through sale, the company that acquired such shares must deliver to the registrar details of the purchase.<sup>124</sup> This includes the value of the shares, the date on which such shares were delivered and the amount paid for such shares. Such details shall be included in the register and the amount stated.<sup>125</sup> Notably, the company must keep a copy of the purchase contract at its registered office for at least ten years.<sup>126</sup> Any person can view, free of charge, a copy of such a contract or a memorandum kept as a record at the registrar's office.<sup>127</sup>

Section 186 relates to the disclosure by directors of their interests in contracts of the company. In the event of a proposed contract, it is the duty of the directors to declare their interests in the company.<sup>128</sup> Furthermore, the extent of such directors' interest in the company must be confirmed. Also, in terms of section 187(8) a register of directors is to be made available in the Registrar's office for viewing by the public. As the *Companies' Act* is explicit about the dealings of companies in Zimbabwe, this is equally applicable to foreign investors. However, besides the fact that Chinese companies dominate the current lithium mining activities, not much further is known about them - the structure of the companies, who the directors are, if any locals have been appointed in directorship positions, and what shares, if any, locals might have in directorship positions. Section 37 of the

---

<sup>123</sup> Section 159(3)(vii) of the *Mines and Minerals Act*, 2016 (Chapter 21:05).

<sup>124</sup> Section 82(1) of the *Companies and Other Business Entities Act*, 2019 (Chapter 24:31).

<sup>125</sup> Section 82(1)(a), (b) and (d) of the *Companies and Other Business Entities Act*, 2019 (Chapter 24:31).

<sup>126</sup> Section 82(3) of the *Companies and Other Business Entities Act*, 2019 (Chapter 24:31).

<sup>127</sup> Section 82(4) of the *Companies and Other Business Entities Act*, 2019 (Chapter 24:31).

<sup>128</sup> Section 186 of the *Companies and Other Business Entities Act*, 2019 (Chapter 24:31).



*Amendment of Section 3 of Chapter 14:33*, as already mentioned above, makes minerals in Zimbabwe vulnerable to wholesale foreign exploitation at the expense of indigenisation. This is because of the Minister of Mines' wide discretion to give concessions to foreign companies. The limited information relating to the structure of such companies gives the impression that the benefits to the state in tax returns are likely to be limited.

## **5.6 Unfair labour practices**

Reports of unfair labour practices occurring in some of the Zimbabwean lithium mines are interlinked with contraventions of environmental justice and the just transition concept described by the *International Labour Organisation Guidelines for a Just Transition*. Paragraph 13(e) of these guidelines states that:

These coherent policies also need to provide a just transition framework for all to promote the creation of more decent jobs, including, as appropriate: anticipating impacts on employment, adequate and sustainable social protection for job losses and displacement, skills development and social dialogue, including the effective exercise of the right to organise and bargain collectively.<sup>129</sup>

In other words, this refers to moving towards a fair and inclusive economy by creating decent work opportunities, including just working conditions, and not leaving anyone out.<sup>130</sup> This concept originates from the International Trade Union Confederation (ITUC). It was used to demonstrate the ITUC commitment to securing social justice for workers and affected communities in activities related to climate change. The Advocacy of the ITUC has seen just transition being included in the discussion of COP 16, COP 17 and its final incorporation in the *Paris Agreement* of 2015.<sup>131</sup> While the notion of just transition is a developing concept,<sup>132</sup> it is important not to ignore its legal implications for developing countries. As a signatory to the *Paris Agreement*, even though not a leading contributor to high emissions, the concept of just transition applies equally to Zimbabwe due to the negative impacts that quickly transitioning away from established fossil fuel-based industries can have on workers' rights and welfare.

It is worth mentioning how the just transition is not being fully applied within the lithium mining industry in Zimbabwe. In section 24, the *Constitution of*

---

<sup>129</sup> See para 13(e) of the *International Labour Organisation Guidelines for a Just Transition Towards Environmentally Sustainable Economies and Societies for All* (2015).

<sup>130</sup> Johansson 2023 *JEL* 230. Also see Newell and Mulvaney 2013 *The Geographical Journal* 133-134.

<sup>131</sup> Johansson 2023 *JEL* 231-232.

<sup>132</sup> See preamble of the *Paris Agreement* (2016): "Taking into account the imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities"; Johansson 2023 *JEL* 231-232.

*Zimbabwe* speaks of the opportunity to work in a freely chosen activity for people to secure decent livings for themselves and their families.<sup>133</sup> The surges in the extraction of the lithium rock at the Bikita minerals mine were around 10 000 tonnes a month, generating about 75 million US dollars between December 2022 and February 2023. Recent reports in April 2023 of employees in this lithium mine complaining of harsh or unfair labour practices such as 1) the slashing of the living allowance of workers, 2) workers saying they are battling to keep up with the cost of living – despite the company's enjoying good returns from being paid for exports in US dollars, workers get paid in the unstable Zimbabwean bond currency or RTGS, with the lowest paid worker getting the equivalent of 200 US dollars a month and the highest paid workers getting 337 US dollars a month, 3) workers get target bonuses to motivate higher production, 4) gender discriminatory practices are common, as women who take maternity leave are disqualified from target bonuses, 5) no bonuses are paid to workers who miss a day of work in a twenty-one day working month, 6) bonuses are withheld should employees take time off for being sick or to attend to urgent family matters such as funerals.<sup>134</sup>

In a recent news article, on 13 June 2023, the Acadia lithium mine, which is also run by Zhejiang Haoyou, had two workers who lost their lives due to unsafe working conditions.<sup>135</sup> The mine is hitting the headlines for its poor safety conditions and pathetic accommodation, which is not fit for human habitation. The workers reside in wooden cabins that lack ventilation and proper sanitation facilities.<sup>136</sup> They have to use toilets with no privacy or dignity, which are reminiscent of toilets in the old colonial mines.<sup>137</sup> The Chinese investors are not very keen on fostering the well-being of their workers, judging from the pictures printed in a news article dated 12 June 2023.

The Zimbabwean labour union movement has become weak because of the heavy involvement of the state in union affairs. Currently, the unions are slow and ineffective in addressing the needs of mining employees. Although labour activism was on the rise in the 1990s, since then the government has used repressive measures to suppress such demonstrations by workers,

---

<sup>133</sup> Section 24 of the *Constitution of Zimbabwe*.

<sup>134</sup> Ziyambi 2023 <https://www.newsday.co.zw/thestandard/news/article/200010563/news-in-depth-giant-masvingo-lithium-miner-at-loggerheads-with-workers-over-poor-pay>.

<sup>135</sup> Ross 2023 <https://www.mining-technology.com/news/unsafe-conditions-arcadia-mine-zimbabwe/>.

<sup>136</sup> Taruvinga 2023 <https://www.newzimbabwe.com/workers-at-chinese-owned-arcadia-mine-live-in-squalid-conditions/>.

<sup>137</sup> Taruvinga 2023 <https://www.newzimbabwe.com/workers-at-chinese-owned-arcadia-mine-live-in-squalid-conditions/>.

which has resulted in many injuries and deaths.<sup>138</sup> Due to the polarisation and suppression of trade unions, many such unions have formed alliances with intellectuals, human rights organisations and women's movements. It is unclear how many people from the local communities are employed in these mines in jobs regarded as low-skilled.<sup>139</sup> Labour unions in Zimbabwe could be the starting point for advancing the just transition concept outlined above in the *International Labour Organisation Guidelines for a Just Transition*.

## 6 Conclusion

At the outset of this article, we sought to critically examine Zimbabwe's lithium industry through a socio-legal lens by particularly focusing on the role of public participation in resource governance and environmental justice. Through this prism, we assessed not only whether Zimbabwe's legal and institutional frameworks facilitate meaningful public engagement in the decision-making processes surrounding lithium extraction but also whether its governance structures effectively balance the competing interests of economic development, environmental sustainability, and community welfare. Our analysis concludes that Zimbabwe's lithium industry remains largely governed by opaque decision-making, limited public consultation, and inadequate environmental safeguards.<sup>140</sup>

Despite the country's vast lithium reserves and the growing global demand for the mineral, governance deficiencies – including corruption, lack of transparency, and exclusionary policy-making – continue to undermine efforts to ensure the equitable distribution of benefits.<sup>141</sup> Without meaningful public participation, robust legal frameworks, and stringent environmental safeguards, Zimbabwe risks falling into the same pitfalls that have plagued its extractive industries in the past. While Zimbabwe has made attempts to regulate lithium extraction, the existing policies lack the necessary enforcement mechanisms to uphold environmental justice and safeguard local communities from adverse socio-economic and ecological impacts.

The governance of Zimbabwe's lithium sector must undergo significant reforms to address these challenges and ensure that resource extraction benefits both the state and its citizens. A multi-faceted policy approach is necessary to ensure that lithium extraction contributes to sustainable development, community empowerment and environmental justice.

---

<sup>138</sup> Mutekwe 2019 *RAPE* 248.

<sup>139</sup> Mutekwe 2019 *RAPE* 248.

<sup>140</sup> Chiweshe *et al* 2013 <https://tizim.org/wp-content/uploads/2020/07/TI-Z-2013-Report-on-Land-Sector-Governance.pdf>.

<sup>141</sup> Murombo 2022 *JE & NRL* 136.

First, a crucial step in improving governance within the lithium industry is the urgent revision and enactment of the *Mines and Minerals Bill*, which should explicitly classify lithium as a strategic mineral.<sup>142</sup> Doing so would allow for stricter oversight and ensure that exploitation aligns with Zimbabwe's national development goals. The bill should also provide enforceable guidelines on public participation, environmental protection, and equitable revenue-sharing. Currently, corporate social responsibility (CSR) initiatives remain discretionary, allowing companies to evade meaningful developmental contributions to local communities.<sup>143</sup> Making CSR obligations legally binding would perhaps compel mining corporations to invest in local infrastructure, education and healthcare; thereby fostering a more inclusive and socially responsible mining sector. Furthermore, Zimbabwe must bolster its institutional frameworks by equipping relevant regulatory bodies with the resources, autonomy and legal authority to oversee lithium mining operations effectively. Regulatory agencies should be empowered to conduct independent audits, enforce penalties for non-compliance, and ensure that all mining agreements meet social and environmental sustainability criteria. Without such mechanisms, regulatory capture and corruption will continue to undermine efforts to create an accountable and responsible lithium industry.

Second, a significant governance challenge in Zimbabwe's extractive sector is the lack of transparency in mining contracts and revenue distribution. Many lithium mining agreements remain opaque, fostering corruption, nepotism and elite capture of resources at the expense of local communities. In addition to establishing independent oversight bodies tasked with monitoring lithium mining agreements, environmental compliance and community benefit-sharing, the country should create a publicly accessible database that includes information on mining licences, revenue flows, environmental and social impact assessments, and community compensation agreements to enhance accountability. Making such data readily available would empower civil society organisations, media and affected communities to scrutinise government actions and corporate behaviour and ensure that lithium revenues are managed responsibly.

Third, the exclusion of local communities from decision-making processes exacerbates tensions between mining companies, the government and affected populations. Zimbabwe's legal framework should integrate mandatory public participation mechanisms and access to remedies that allow local communities to have a voice in decisions regarding lithium mining operations. Establishing community-based natural resource

---

<sup>142</sup> See s 6 of the *Mines and Minerals Bill*, 2022.

<sup>143</sup> Murombo 2022 *JE & NRL* 136.

management committees would provide a structured platform for dialogue between local communities, government officials and mining corporations. These committees should be empowered to review mining contracts, monitor environmental impacts, and negotiate benefit-sharing agreements. Moreover, the government should require mining companies to obtain free, prior and informed consent from communities before commencing operations. At the same time, affected communities must have access to legal avenues to seek redress for environmental damage, land dispossession and human rights violations resulting from lithium mining. Amending existing mining and environmental laws to provide clearer procedural pathways for legal action would ensure that affected individuals and communities could challenge non-compliant actors and secure compensation for damages. This would help prevent land dispossession, environmental degradation and social dislocation.

Fourth, lithium extraction is a water-intensive process, requiring up to 2.2 million litres of water per ton of lithium extracted.<sup>144</sup> In a country already facing water scarcity, this raises serious concerns about resource depletion and ecological harm. The government should implement comprehensive water management policies, including strict regulations on water use by mining companies, to prevent over-extraction, mandatory EIAs and regular audits to monitor compliance, and investment in sustainable extraction technologies, such as direct lithium extraction, which reduces water consumption and minimises ecological damage. If left unregulated, lithium mining could exacerbate existing water shortages, negatively impacting agriculture and rural livelihoods. A robust regulatory framework is therefore essential to balance resource extraction with water conservation and environmental sustainability.

Zimbabwe could draw lessons from lithium-rich countries such as Chile, Argentina, and Bolivia, which have implemented regulatory frameworks to balance economic gains with social and environmental protections.<sup>145</sup> For instance, Bolivia has adopted a state-led model in which lithium extraction is heavily regulated and revenues from the sale of lithium are reinvested into national development projects. A similar approach in Zimbabwe could ensure long-term benefits for the broader population. Additionally, adopting a Kimberley Process-style certification system for lithium exports could help prevent human rights abuses and environmental degradation, and ensure that lithium is extracted responsibly and ethically.

Last, rather than exporting raw lithium, Zimbabwe should prioritise local beneficiation and value addition to capture greater economic benefits from

---

<sup>144</sup> Dowling 2025 *Energy Research & Social Science* 3.

<sup>145</sup> Heredia, Martinez and Urtubey 2020 *JE & NRL* 223.

its mineral wealth.<sup>146</sup> Establishing domestic lithium processing and battery production plants could create jobs, reduce reliance on raw mineral exports, and position Zimbabwe as a key player in the global battery supply chain. To achieve this the government should offer tax incentives and infrastructure support to attract investment in local processing facilities, develop technical training programmes to equip Zimbabweans with the skills needed for lithium processing and battery production, and foster regional partnerships under the *African Continental Free Trade Agreement* to integrate Zimbabwe's lithium industry into broader industrialisation efforts in Africa. Without a clear industrial policy, Zimbabwe risks remaining a mere supplier of raw materials to foreign markets, forfeiting the potential economic gains that could drive long-term national development.

Today, Zimbabwe stands at a pivotal moment in determining whether its lithium industry will serve as a driver of sustainable development or reinforce entrenched governance challenges. While the potential for economic transformation is undeniable, realising these benefits requires a rights-based approach that prioritises transparency, public participation and environmental justice. The policy recommendations outlined above provide a roadmap for a more responsible, equitable and sustainable lithium industry. However, their success depends on strong political will, institutional reforms and sustained advocacy from civil society and affected communities. If properly implemented, these measures could help Zimbabwe avoid the resource "curse" and ensure that its lithium wealth contributes to national prosperity for all, rather than exacerbating social inequality and environmental degradation.

## Bibliography

### Literature

Adebanjo and Adeoye 2022 *JESE*

Adebanjo SA and Adeoye OM "Transparency and Global Initiatives in the Face of Natural Resource Depletion in Sub-Saharan Africa" 2022 *JESE* 13-24

Agarwala and Chaudhary 2021 *India Quarterly*

Agarwala N and Chaudhary RD "'Made in China 2025': Poised for Success?" 2021 *India Quarterly* 424-461

Ahmad 1978 *Pakistan Horizon*

Ahmad N "Great Power Involvement in Southern Africa" 1978 *Pakistan Horizon* 57-85

---

<sup>146</sup> Okafor 2023 <https://africa.businessinsider.com/local/markets/namibia-takes-control-of-its-resources-as-it-bans-the-export-of-unprocessed-vital/lggkxj8>.

Barton "Underlying Concepts and Theoretical Issues in Public Participation in Resource Development"

Barton B "Underlying Concepts and Theoretical Issues in Public Participation in Resource Development" in Zillman DN, Lucas AR and Pring G (eds) *Human Rights in Natural Resources Development: Public Participation in the Sustainable Development of Mining and Energy Resources* (Oxford University Press Oxford 2022) 77-119

Bohman 1994 *Law & Society Review*

Bohman J "Complexity, Pluralism and the Constitutional State: On Habermas's" 1994 *Law & Society Review* 897-930

Christiano "Rational Deliberation between Experts and Citizens"

Christiano T "Rational Deliberation between Experts and Citizens" in Mansbridge J and Parkinson J (eds) *The Deliberative System* (Cambridge University Press Cambridge 2012) 27-51

Dowling 2025 *Energy Research & Social Science*

Dowling C and Otero G "Mirages or Miracles? Lithium Extraction and the Just Energy Transition" 2025 *Energy Research & Social Science* 1-11

Fricker 1998 *Proceedings of the Aristotelian Society*

Fricker M "Rational Authority and Social Power: Towards a Truly Social Epistemology" 1998 *Proceedings of the Aristotelian Society* 159-177

Habermas *The Theory of Communicative Action Vol I*

Habermas J *The Theory of Communicative Action Vol I: Reason and the Rationalization of Society* (Beacon Press Boston 1984)

Heredia, Martinez and Urtubey 2020 *JE & NRL*

Heredia F, Martinez AL and Urtubey VS "The Importance of Lithium for Achieving a Low-carbon Future: Overview of the Lithium Extraction in the 'Lithium Triangle'" 2020 *JE & NRL* 213-236

Howard 2015 *Oñati Socio-legal Series*

Howard T "The 'Rules of Engagement': A Socio-legal Framework for Improving Community Engagement in Natural Resource Governance" 2015 *Oñati Socio-legal Series* 1209-1235

Johansson 2023 *JEL*

Johansson V "Just Transition as an Evolving Concept in International Climate Law" 2023 *JEL* 229-249

Kaunda 2020 *JE & NRL*

Kaunda RB "Potential Environmental Impacts of Lithium Mining" 2020 *JE & NRL* 237-244

Li 2022 *Journal of Chinese Governance*

Li J "Public Participation in China: The Case for Environmental Enforcement" 2022 *Journal of Chinese Governance* 159-179

Madebwe 2015 *AHRLJ*

Madebwe T "A Rights-based Approach to Environmental Protection: The Zimbabwean Experience" 2015 *AHRLJ* 110-128

Mahuni *et al* "Making or Breaking Zimbabwe: 1987-2020 Issues"

Mahuni K *et al* "Making or Breaking Zimbabwe: 1987-2020 Issues" in Mahuni K *et al* (eds) *Zimbabwe's Economy: Four Decades in Perspective (1980-2020)* (Springer Nature Cham 2025) 95-120

Mlambo, Kushamba and Simawu 2016 *The Chinese Economy*

Mlambo C, Kushamba A and Simawu MB "China-Africa Relations: What Lies Beneath?" 2016 *The Chinese Economy* 257-276

Mohamed-Katerere "Mutually-reinforcing Transgressions of Justice"

Mohamed-Katerere JC "Mutually-reinforcing Transgressions of Justice in Large Scale Land Acquisitions in the 'Public Interest'" in Ginzky H *et al* (eds) *International Yearbook of Soil Law and Policy 2020/2021* (Springer International Cham 2022) 17-45

Moyo, Chambati and Yeros "Land and Natural Resources in Zimbabwe"

Moyo S, Chambati W and Yeros P "Land and Natural Resources in Zimbabwe: Scramble and Resistance" in Moyo S, Jha P and Yeros P (eds) *Reclaiming Africa: Scramble and Resistance in the 21st Century* (Springer International Cham 2019) 225-253

Murombo 2013 *Law, Environment and Development Journal*

Murombo T "Regulating Mining in South Africa and Zimbabwe: Communities, the Environment and Perpetual Exploitation" 2013 *Law, Environment and Development Journal* 31-49

Murombo 2022 *JE & NRL*

Murombo T "The Extractive Industries Transparency Initiative (EITI) in Zimbabwe: An Appraisal of Prospects and Challenges" 2022 *JE & NRL* 133-153

Mutekwe 2019 *RAPE*

Mutekwe P "Resistance and Repression in Zimbabwe: A Case Study of Zimplats Mine Workers" 2019 *RAPE* 246-260

Muzurura 2019 *Humanities and Social Sciences Letters*

Muzurura J "Causes, Dissemination Channels, and Consequences of Corruption in Zimbabwe: Searching for a Kryptonite Solution" 2019 *Humanities and Social Sciences Letters* 105-122



Ndakaripa 2020 *SAJIA*

Ndakaripa M "Zimbabwe is Open for Business: Aspects of Post-Mugabe Economic Diplomacy" 2020 *SAJIA* 363-389

Ndakaripa 2021 *The Washington Quarterly*

Ndakaripa M "Zimbabwe's Economic Meltdown: Are Sanctions Really to Blame?" 2021 *The Washington Quarterly* 95-120

Newell and Mulvaney 2013 *The Geographical Journal*

Newell P and Mulvaney D "The Political Economy of the 'Just Transition'" 2013 *The Geographical Journal* 132-140

Noyes *New Zimbabwe*

Noyes AH A *New Zimbabwe Assessing Continuity and Change after Mugabe* (Rand Arroyo Center Santa Monica 2020)

Quick and Bryson "Public Participation"

Quick KS and Bryson JM "Public Participation" in Ansell C and Torfing J (ed) *Handbook on Theories of Governance* (Edward Elgar Cheltenham 2016) 158-168

Tendi 2019 *African Affairs*

Tendi BM "The Motivations and Dynamics of Zimbabwe's 2017 Military Coup" 2019 *African Affairs* 1-29

Tekwa 2025 *Afrika Focus*

Tekwa N "Land Reform and Industrial Development in Mexico: Practical Lessons for Zimbabwe" 2025 *Afrika Focus* 1-22

Towriss 2013 *JSAS*

Towriss D "Buying Loyalty: Zimbabwe's Marange Diamonds" 2013 *JSAS* 99-117

## **Case law**

*Centre for Minority Rights Development (Kenya) and Minority Rights Group International on behalf of Endorois Welfare Council v Kenya* (2009) AHRLR 75 (ACHPR 2009)

*Jawara v The Gambia* (2000) AHRLR 107 (ACHPR 2000)

*Katangese Peoples' Congress v Zaire* (2000) AHRLR 72 (ACHPR 1995)

*Lawyers for Human Rights v Swaziland* (2005) AHRLR 66 (ACHPR 2005)

*Legal Resources Foundation v Zambia* (2001) AHRLR 84 (ACHPR 2001)

*Purohit v The Gambia* (2003) AHRLR 96 (ACHPR 2003)

*Social and Economic Rights Action Centre (SERAC) v Nigeria* (2001) AHRLR 60 (ACHPR 2001)

## **Legislation**

*Finance (No. 2) Bill, 2020*

*Companies and Other Business Entities Act, 2019 (Chapter 24:31)*

*Constitution of Zimbabwe Amendment (No 20) Act 1 of 2013*

*Environmental Management Act, 2016 (Chapter 20:27)*

*Freedom of Information Act, 2020 (Chapter 10:33)*

*Indigenisation and Economic Empowerment Act, 2018 (Chapter 14:33)*

*Mines and Minerals Act, 2016 (Chapter 21:05)*

*Mines and Minerals Bill, 2022*

*Statutory Instrument 229/2021: Freedom of Information (General) Regulations, 2021*

*Statutory Instrument 2022-213: Base Minerals Export Control (Lithium Bearing Ores and Unbeneficiated Lithium) Order, 2022*

*Zimbabwe Democracy and Economic Recovery Act, 2001 (United States)*

## **International instruments**

*African Charter on Human and Peoples Rights (1981)*

*African Continental Free Trade Agreement (2018)*

*International Labour Organisation Guidelines for a Just Transition Towards Environmentally Sustainable Economies and Societies for All (2015)*

*Minutes of the United Nations Security Council, 63rd Year: 5933rd Meeting, Friday, 11 July 2008, New York UN Doc S/PV.5933 (2008)*

*Paris Agreement (2016)*

*Report of the Special Rapporteur, Alena Douhan, on the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights UN Doc A/HRC/51/33/Add.2 (2022)*

*Rio Declaration on Environment and Development (1992)*

*Universal Declaration of Human Rights (1948)*

## **Internet sources**

Adesina 2023 <https://www.afdb.org/en/news-and-events/speeches/speech-delivered-dr-akinwumi-adesina-president-african-development-bank-group-2nd-dialogue-platform-arrears-clearance-and-debt-resolution-process-zimbabwe-harare-zimbabwe-23-february-2023-59299>

Adesina AA 2023 *Speech Delivered by Dr Akinwumi A Adesina President, African Development Bank Group - 2nd Dialogue Platform on "Arrears Clearance and Debt Resolution Process for Zimbabwe" Harare, Zimbabwe, 23 February 2023* <https://www.afdb.org/en/news-and-events/speeches/speech-delivered-dr-akinwumi-adesina-president-african-development-bank-group-2nd-dialogue-platform-arrears-clearance-and-debt-resolution-process-zimbabwe-harare-zimbabwe-23-february-2023-59299> accessed 9 November 2023

Al Jazeera Investigative Unit 2023 <https://www.aljazeera.com/news/2023/4/14/six-secrets-uncovered-by-al-jazeeras-gold-mafia-investigation>  
Al Jazeera Investigative Unit 2023 *Six Secrets Uncovered by Al Jazeera's Gold Mafia Investigation* <https://www.aljazeera.com/news/2023/4/14/six-secrets-uncovered-by-al-jazeeras-gold-mafia-investigation> accessed 9 November 2023

Auditor General of Zimbabwe 2019 <https://www.auditorgeneral.gov.zw/phocadownload/Parastatals/AG%20PARA%20REPORT%202018%20June%2020%202019.pdf>  
Auditor General of Zimbabwe 2019 *Auditor General Report (2018): Auditor General for the Financial Year Ended December 31, 2018 on State Enterprises and Parastatals* <https://www.auditorgeneral.gov.zw/phocadownload/Parastatals/AG%20PARA%20REPORT%202018%20June%2020%202019.pdf> accessed 11 April 2025

Bulawayo Bureau 2016 <https://www.herald.co.zw/missing-15-billion-looters-face-probe/>  
Bulawayo Bureau 2016 *Missing \$15 Billion Looters Face Probe* <https://www.herald.co.zw/missing-15-billion-looters-face-probe/> accessed 11 November 2023

Burke and Graham-Harrison 2017 <https://www.theguardian.com/world/2017/nov/21/robert-mugabe-resigns-as-president-of-zimbabwe>  
Burke J and Graham-Harrison E 2017 *Mugabe Resignation Ushers in New Era for Zimbabwe* <https://www.theguardian.com/world/2017/nov/21/robert-mugabe-resigns-as-president-of-zimbabwe> accessed 15 November 2023

China Research and Intelligence 2022 <https://www.giiresearch.com/report/cr1171656-research-report-on-chinas-lithium-ion-battery.html>  
China Research and Intelligence 2022 *Research Report on China's Lithium-ion Battery Export 2023-2032* <https://www.giiresearch.com/report/cr1171656-research-report-on-chinas-lithium-ion-battery.html> accessed 20 January 2024

Chingwere 2017 <https://www.sundaymail.co.zw/environment-law-delays-diamond-mining>

Chingwere I 2017 Environmental Law Delays Diamond Mining <https://www.sundaymail.co.zw/environment-law-delays-diamond-mining> accessed 26 February 2025

Chiweshe *et al* 2013 <https://tizim.org/wp-content/uploads/2020/07/TI-Z-2013-Report-on-Land-Sector-Governance.pdf>

Chiweshe M *et al* 2013 *An Analysis of Transparency and Accountability in Land Sector Governance in Zimbabwe* <https://tizim.org/wp-content/uploads/2020/07/TI-Z-2013-Report-on-Land-Sector-Governance.pdf> accessed 24 February 2025

European Commission 2019 [https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC_1&format=PDF)

European Commission 2019 *Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: The European Green Deal. Brussels, 11.12.2019 COM(2019) 640 Final* [https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC_1&format=PDF) accessed 20 January 2024

European Commission 2023 [https://ec.europa.eu/commission/presscorner/api/files/attachment/869807/EGD\\_brochure\\_EN.pdf.pdf](https://ec.europa.eu/commission/presscorner/api/files/attachment/869807/EGD_brochure_EN.pdf.pdf)

European Commission 2023 *European Green Deal: Delivering on our Targets* [https://ec.europa.eu/commission/presscorner/api/files/attachment/869807/EGD\\_brochure\\_EN.pdf.pdf](https://ec.europa.eu/commission/presscorner/api/files/attachment/869807/EGD_brochure_EN.pdf.pdf) accessed 20 January 2024

FOCAC 2009 [http://www.focac.org/eng/ljhy\\_1/dyjbzjhy\\_1/CI12009/](http://www.focac.org/eng/ljhy_1/dyjbzjhy_1/CI12009/)

Forum on China-Africa Cooperation 2009 *Previous Conferences* [http://www.focac.org/eng/ljhy\\_1/dyjbzjhy\\_1/CI12009/](http://www.focac.org/eng/ljhy_1/dyjbzjhy_1/CI12009/) accessed 20 November 2023

FOCAC 2023 [http://www.focac.org/eng/zfgx\\_4/zzjw/202306/t20230601\\_11087016.htm](http://www.focac.org/eng/zfgx_4/zzjw/202306/t20230601_11087016.htm)

Forum on China-Africa Cooperation 2023 *Zimbabwe Commits to Deeper China Ties* [http://www.focac.org/eng/zfgx\\_4/zzjw/202306/t20230601\\_11087016.htm](http://www.focac.org/eng/zfgx_4/zzjw/202306/t20230601_11087016.htm) accessed 13 November 2023

Global Business Reports 2021 <https://projects.gbreports.com/chile-mining-2021/lithium/>

Global Business Reports 2021 *Lithium: At the Heart of the Salars Triangle* <https://projects.gbreports.com/chile-mining-2021/lithium/> accessed 23 November 2023

Global Witness 2017 <https://globalwitness.org/en/press-releases/zimbabwes-vast-diamond-riches-exploited-by-secretive-political-and-military-elites-report-shows/>

Global Witness 2017 *Zimbabwe's Vast Diamond Riches Exploited by Secretive Political and Military Elites, Report Shows* <https://globalwitness.org/en/press-releases/zimbabwes-vast-diamond-riches-exploited-by-secretive-political-and-military-elites-report-shows/> accessed 28 February 2025

Goosen 2023 <https://energycapitalpower.com/china-natural-resources-to-acquire-zimbabwean-lithium-mine-for-1-75b/>

Goosen M 2023 *China Natural Resources to Acquire Zimbabwean Lithium Mine for \$ 1.75 Billion* <https://energycapitalpower.com/china-natural-resources-to-acquire-zimbabwean-lithium-mine-for-1-75b/> accessed 20 January 2024

Guest Contributor 2023 <https://www.esi-africa.com/renewable-energy/navigating-lithium-mining-investment-in-zimbabwe/>

Guest Contributor 2023 *Navigating Lithium Mining Investment in Zimbabwe* <https://www.esi-africa.com/renewable-energy/navigating-lithium-mining-investment-in-zimbabwe/> accessed 20 January 2024

Institute for Security and Development Policy 2018 <https://isd.eu/wp-content/uploads/2018/06/Made-in-China-Backgrounder.pdf>

Institute for Security and Development Policy 2018 *Made in China 2025. Backgrounder – June 2018* <https://isd.eu/wp-content/uploads/2018/06/Made-in-China-Backgrounder.pdf> accessed 11 April 2025

Kazunga 2022 <https://www.sundaymail.co.zw/us450m-lithium-salt-plant-for-mapinga>

Kazunga O 2022 *US\$450 Million Lithium Plant for Mapinga* <https://www.sundaymail.co.zw/us450m-lithium-salt-plant-for-mapinga> accessed 23 November 2023

Macias 2010 <https://ucalgary.scholaris.ca/server/api/core/bitstreams/95636305-de0b-4231-946a-2f19a8f91776/content>

Macias R 2010 *Public Participation in Energy and Natural Resources Development: A Theory and Criteria Evaluation. Canadian Institute of Resources Law Occasional Paper #34* <https://ucalgary.scholaris.ca/server/api/core/bitstreams/95636305-de0b-4231-946a-2f19a8f91776/content> accessed 11 April 2025

Makopa 2023 <https://www.newsday.co.zw/local-news/article/200009524/rgm-airport-rehab-97-complete>

Makopa F 2023 *RGM Airport Rehab 97% Complete* <https://www.newsday.co.zw/local-news/article/200009524/rgm-airport-rehab-97-complete> accessed 12 November 2023

Marima 2021 <https://foreignpolicy.com/2021/12/03/zimbabwe-diamond-mining-conflict-mineral-kimberley-process/>

Marima T 2021 *Zimbabwe's Chance to Shine* <https://foreignpolicy.com/2021/12/03/zimbabwe-diamond-mining-conflict-mineral-kimberley-process/> accessed 15 April 2025

Martin and Taylor 2012 <https://impacttransform.org/wp-content/uploads/2017/09/2012-Nov-Reap-What-You-Sow-Greed-and-Corruption-in-Zimbabwes-Marange-Diamond-Fields.pdf>

Martin A and Taylor B 2012 *Reap What You Sow: Greed and Corruption in Zimbabwe's Marange Diamond Fields* <https://impacttransform.org/wp-content/uploads/2017/09/2012-Nov-Reap-What-You-Sow-Greed-and-Corruption-in-Zimbabwes-Marange-Diamond-Fields.pdf> accessed 27 February 2025

Milewski 2023 <https://theoregongroup.com/commodities/the-emerging-lithium-powerhouse-you-never-heard-of/>

Milewski A 2023 *The Emerging Lithium Powerhouse You Never Heard Of* <https://theoregongroup.com/commodities/the-emerging-lithium-powerhouse-you-never-heard-of/> accessed 16 January 2024

Mubika 2023 <https://www.newsday.co.zw/theindependent/local-news/article/200010761/gwayi-shangani-dam-70-complete>

Mubika R 2023 *Gwayi-Shangani Dam 70% Complete* <https://www.newsday.co.zw/theindependent/local-news/article/200010761/gwayi-shangani-dam-70-complete> accessed 14 November 2023

Mutsaka 2023 <https://apnews.com/article/africa-china-asia-zimbabwe-d7176d0e7ed5997e50c89d226a34d2e9>

Mutsaka F 2023 *Zimbabwe's Imposing New Chinese-funded Parliament Opens* <https://apnews.com/article/africa-china-asia-zimbabwe-d7176d0e7ed5997e50c89d226a34d2e9> accessed 14 November 2023

Marawanyika 2022 <https://www.bloomberg.com/news/articles/2022-01-31/zimbabwe-state-workers-want-to-negotiate-pay-in-u-s-dollar?embedded-checkout=true>

Marawanyika G 2022 *Zimbabwe State Workers Want to Negotiate Pay in US Dollar* <https://www.bloomberg.com/news/articles/2022-01-31/zimbabwe-state-workers-want-to-negotiate-pay-in-u-s-dollar?embedded-checkout=true> accessed 14 April 2025

Okafor 2023 <https://africa.businessinsider.com/local/markets/namibia-takes-control-of-its-resources-as-it-bans-the-export-of-unprocessed-vital/lggkxj8>

Okafor C 2023 *Namibia Takes Control of Its Resources as It Bans the Export of Unprocessed Vital Mineral* <https://africa.businessinsider.com/local/markets/namibia-takes-control-of-its-resources-as-it-bans-the-export-of-unprocessed-vital/lggkxj8> accessed 20 November 2023

OXFAM 2018 <https://zepari.co.zw/sites/default/files/2019-11/mining%20revenue.pdf>

OXFAM 2018 *An Analysis of Zimbabwe Mining Revenue and Disclosure Frameworks, Prepared by the Zimbabwe Economic Policy Analysis and Research Unit (ZEPARU)* <https://zepari.co.zw/sites/default/files/2019-11/mining%20revenue.pdf> accessed 12 November 2023

OXFAM and Legal Resource Centre 2018 <https://lrc.org.za/wp-content/uploads/pdf/2018%20Free%20Prior%20and%20Informed%20Consent%20OXFAM.pdf>

OXFAM and Legal Resource Centre 2018 *Free, Prior and Informed Consent in the Extractive Industries in Southern Africa: An Analysis of Legislation and their Implementation in Malawi, Mozambique, South Africa, Zimbabwe and Zambia* <https://lrc.org.za/wp-content/uploads/pdf/2018%20Free%20Prior%20and%20Informed%20Consent%20OXFAM.pdf> accessed 10 November 2023

Proctor 2023 <https://www.powermag.com/new-coal-fired-unit-operating-at-zimbabwes-largest-thermal-power-plant/>

Proctor D 2023 *New Coal-fired Unit Operating at Zimbabwe's Largest Thermal Power Plant* <https://www.powermag.com/new-coal-fired-unit-operating-at-zimbabwes-largest-thermal-power-plant/> accessed 12 November 2023

Ross 2023 <https://www.mining-technology.com/news/unsafe-conditions-arcadia-mine-zimbabwe/>

Ross KM 2023 *Unsafe Conditions Caused Two Deaths in Zimbabwe Lithium Mine* <https://www.mining-technology.com/news/unsafe-conditions-arcadia-mine-zimbabwe/> accessed 24 November 2023

Saunyama 2023 <https://www.newsday.co.zw/theindependent/local-news/article/200008097/ema-shuts-down-2-lithium-mines>

Saunyama J 2023 *EMA Shuts Down 2 Lithium Mines* <https://www.newsday.co.zw/theindependent/local-news/article/200008097/ema-shuts-down-2-lithium-mines> accessed 20 November 2023

Sibanda 2019 <https://zela.org/constitutional-case-for-mining-sector-transparency-reforms-is-eiti-only-route-for-zimbabwe/>

Sibanda M 2019 *Constitutional Case of Mining Sector Reforms: Is EITI Only Route for Zimbabwe?* <https://zela.org/constitutional-case-for-mining-sector-transparency-reforms-is-eiti-only-route-for-zimbabwe/> accessed 20 November 2023

Skyquest 2024 <https://www.skyquestt.com/report/global-lithium-market>  
Skyquest 2024 *Lithium Market Size, Share, Growth Analysis, by Product (Carbonate, Hydroxide, Others), by Application (Batteries, Glass & Ceramics, Lubricant, Medical), B=by Region - Industry Forecast 2024-2031* <https://www.skyquestt.com/report/global-lithium-market> accessed 15 September 2024

Statista 2021 <https://www.statista.com/statistics/1249871/share-of-the-global-lithium-ion-battery-manufacturing-capacity-by-country/>  
Statista 2021 *Share of the Global Lithium-ion Battery Manufacturing Capacity in 2021 with a Forecast for 2025, by Country* <https://www.statista.com/statistics/1249871/share-of-the-global-lithium-ion-battery-manufacturing-capacity-by-country/> accessed 20 January 2024

Statista 2024 <https://www.statista.com/statistics/1541174/china-industry-output-valueof-lithium-ion-batteries/>  
Statista 2024 *Total Industry Output Value of Lithium-Ion Batteries in China from 2021 to 2023* <https://www.statista.com/statistics/1541174/china-industry-output-valueof-lithium-ion-batteries/> accessed 20 January 2025

Taruvinga 2023 <https://www.newzimbabwe.com/workers-at-chinese-owned-arcadia-mine-live-in-squalid-conditions/>  
Taruvinga M 2023 *Workers at Chinese Owned Arcadia Mine Squalid Conditions* <https://www.newzimbabwe.com/workers-at-chinese-owned-arcadia-mine-live-in-squalid-conditions/> accessed 24 November 2023

Tedesco 2023 <https://news.climate.columbia.edu/2023/01/18/the-paradox-of-lithium/>  
Tedesco M 2023 *The Paradox of Lithium* <https://news.climate.columbia.edu/2023/01/18/the-paradox-of-lithium/> accessed 21 November 2023

Voice of America 2009 <https://www.voanews.com/a/a-13-2008-10-09-voa23-66791002/254610.html>  
Voice of America 2009 *Zimbabwe Inflation Reaches 231 Million Percent* <https://www.voanews.com/a/a-13-2008-10-09-voa23-66791002/254610.html> accessed 26 February 2025



Volza Date Unknown <https://www.volza.com/p/lithium/export/export-from-china/>

Volza Date Unknown *Lithium Exports from China*  
<https://www.volza.com/p/lithium/export/export-from-china/> accessed 20 January 2024

Ziyambi 2023 <https://www.newsday.co.zw/thestandard/news/article/200010563/news-in-depth-giant-masvingo-lithium-miner-at-loggerheads-with-workers-over-poor-pay>

Ziyambi M 2023 *New in Depth: Giant Masvingo Lithium Miner at Loggerheads with Workers Over Pay* <https://www.newsday.co.zw/thestandard/news/article/200010563/news-in-depth-giant-masvingo-lithium-miner-at-loggerheads-with-workers-over-poor-pay> accessed 23 November 2023

## List of Abbreviations

AHRLJ	African Human Rights Law Journal
CSR	corporate social responsibility
EIA	environmental impact assessment
EMA	Environmental Management Agency
EITI	Extractive Industries Transparency Initiative
EU	European Union
FIA	Freedom of Information Act, 2020
FOCAC	Forum on China-Africa Cooperation
JE & NRL	Journal of Energy and Natural Resources Law
JEL	Journal of Environmental Law
JESE	Journal of Environmental Science and Economics
JSAS	Journal of South African Studies
IEEA	Indigenisation and Economic Empowerment Act, 2018
IMF	International Monetary Fund
ITUC	International Trade Union Confederation
MMCZ	Minerals Marketing Corporation of Zimbabwe
RAPE	Review of African Political Economy
SAJIA	South African Journal of International Affairs
UN	United Nations
US	United States of America
ZACC	Zimbabwe Anti-Corruption Commission

---

ZANLA	Zimbabwe National Liberation Army
ZCDC	Zimbabwe Consolidated Diamond Company (Private) Limited
ZIDERA	Zimbabwe Democracy and Economic Recovery Act, 2001
ZMDC	Zimbabwe Mining Development Corporation
ZMRTI	Zimbabwe Mining Revenue Transparency Initiative