



# "MIN(E)D-YOUR-RIGHTS"

SMARTPHONE APP/ "MYR" APP



## MYR



Technology can provide information about the rights of landowners and communities living on land affected by mining within reach of those affected, a database which contains the most important information on mining rights. This database will be accessed via a responsive website which would allow access over multiple devices (web, tablet, smartphone - portrait and landscape). A short questionnaire will guide users to define their concerns. In response, information is provided about the user's legal position: his/her rights under the circumstances as well as suggested courses of action.

## PURPOSE



To provide basic information about required consultation processes: to empower those those affected by mining activities in their dealings with mining companies and provide the expectations that these stakeholders could reasonably entertain in the face of such negotiations. To collect data about the knowledge imbalance in the consultation processes required before and after mining rights are awarded: The advantage for researchers of running this simple app would lie in the data collected through usage of the app.

## TARGETED USER-BASE



Landowners/lawful occupiers and communities living on land subject to mining rights  
Postgraduate researchers  
Investors, researchers and activists into the mining sector

## EXPECTED OUTCOMES



More transparent negotiation process between more equal parties including affected communities and mining companies  
Better law- and policy-making and implementation relating to holders of mining rights and other stakeholders

## PROBLEM STATEMENT



The resource, power and knowledge imbalances in the extractives sector can be addressed by improving access to information and by cultivating local expertise.

Reliable information and expertise provide the tools necessary to enhance accountability and transparency in the extractive sector: a necessity if the phenomenon known as the "resource curse" is to be avoided.

In addition, South Africa can benefit more fully from its natural resources if it is to develop stronger, indigenous capacity to create and implement sound legal frameworks and good governance in the extractives sector.

## PROPOSED USE OF GRANT FUNDING

Contribute towards developing the MYR application, including s(i) technical development (consultation and development costs) and (ii) scientific co-ordination (senior legal researcher and doctoral students to develop questionnaire and responses, and to process data gained)

Contribute to building expertise in mining law by funding postgraduate study and promoting teaching exchange

Potential funding the for creation and dissemination of research. The funding for the ongoing series of MLIa colloquia will be depleted in 2015, leaving scope to support the hosting of these annual colloquia as of 2016

## PROPOSED BUDGET



	Doctoral Researchers (R70,000/ researcher)	Application Development	Supervision & Co-ordination	DisseminationT	TOTAL
Year 1	210,0003	360,000	80,000	06	650,000
Year 2	210,0002	220,000	120,0001	100,000	650,000
Year 3	280,0005	50,0001	140,000	180,0006	650,000
Year 4	280,0005	50,0001	140,000	180,0006	650,000
Year 5	280,0005	50,0001	140,000	180,0006	650,000

## SOUTH AFRICA RESEARCH CHAIR INITIATIVE (SARCHI)

The Chair's purpose is to engage with the relationship between the law and socio-economic development on the continent, in so far as this relationship pertains to minerals, oil and natural gas ("the extractives sector" or "mineral resource law").

## MINERAL LAW IN AFRICA PROGRAMME

The MLIa programme seeks to develop specialist, academic texts on mineral law in specific jurisdictions, as well as to develop a network of specialists. These texts will provide information on South Africa, Namibia, Mozambique, Botswana, Eritrea, Nigeria, Zimbabwe, Ghana, Zambia, Tanzania, Kenya, Democratic Republic of Congo, Cameroon and Liberia.



## THE RESOURCE CURSE

The African continent has plentiful mineral wealth but its people are not benefiting from it appropriately. Mineral wealth, unaccompanied by strong regulatory systems and good governance render countries vulnerable to corruption and lawlessness; and/or exploitation by global players better equipped to engage in the extraction of minerals and oil.

This anomaly, described as the resource curse, provided the drive for research already undertaken within the context of the project titled "Mineral Law in Africa" ("MLIA").

## THE KNOWLEDGE GAP



Asymmetries in the available knowledge relating to extractives ("the knowledge imbalance") create a breeding ground for exploitative investment behaviour by international mining companies, and for unethical responses by African governments.

Here the knowledge imbalance manifests between particular stakeholders: owners of land (and communities living on it) vis-à-vis the companies holding mining or prospecting rights. On the other hand, potential investors in the mining industry need reliable information about the stability of a legal and political system and its impact on the security of their investments.