

## Mining in war-torn countries

Questions and answers in connection with the creation of the article in *TROUW*

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### 1. What would you consider the main question where mining ethics is concerned? Through which lens does your project try to come to an answer?

There are a multitude of question that ethics in mining concern. This involves matters concerning geopolitical questions to benefits of the globalised world or the society of a country but also to effects on the local environment and community, to name but a few.

Think for instance about non-renewables like lignite: it might be beneficial for the national economy and energy security to extract lignite. However, this may result in local residents losing their homes and having to be resettled. Further it might mean that the extraction causes environmental damage in the area. But over a longer period of time it may also result in that the environment is rehabilitated. At the same time the extraction may contribute to the rise of CO<sub>2</sub>-emissions on a global scale.

We aim to equip practitioners and future mining engineers, and by extension other interested public, with tools to critically reflect on ethical issues and dilemmas they may face. Our goal is not to deliver a perfect pre-defined solution for them but to make them able to weigh options based on ethical concerns they face and to develop a balanced perspective.

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### 2. Currently the US-Ukraine minerals deal is a hot topic: What ethical issues arise while mining a war-torn country? Is there any difference between mining in Ukraine and mining in any other war-torn country?

To be sure, we are not experts on the deal. However here are a few thoughts:

Mining in a war-torn country can easily create dependencies. A war-torn country may be more in need of financial resources which can make it more vulnerable to agreeing to a foreign intervention or contribution in mining its extractive resources. Furthermore, it is harder to check whether the agreement is adhered to as it was designed – especially if mining takes place in areas that are affected by war.

Concerning the particular situation of the Ukraine and its geographical and cultural proximity to other European countries, we can say that the countries share similar values. In our understanding of European democratic countries this includes that there should be no enforcement on agreements in particular not in a difficult situation like when a country faces war. In the US-Ukraine agreement there is no formal safety guarantee for Ukraine. Rather it relies on the assumption that business and investment interest and presence will deter aggression. This is critical in so far as some of the areas, where raw material extraction is envisaged, are located in contested zones.

While thinking of rebuilding is necessary and important it is also necessary to see the war logic under which Ukraine currently operates. This may bring to the fore different values than the market logic of economic free trade.

With regard to Ukraine and war-torn countries in general, very fundamental questions arise about the role and effectiveness of ethics. The question of which ethics we are talking about at all also becomes explicit.

Even if we know from experience that wars (can) happen again and again, they are often seen as an extreme exception to the normal state of affairs - whatever this should be. In this extreme situation, questions of power, dependence and helplessness become particularly apparent. Questions of state sovereignty and economic pressure can take a back seat to very existential questions of the survival of a state and its citizens.

The fierce pressure that Ukraine has felt from the current US government in some phases of the negotiations can be an example of this. It could be described as an ethic of the strongest. The deal in favour of the reconstruction of Ukraine basically sounds like the war-torn Ukraine can also benefit from the deal. However, it remains to be seen whether terms such as fair, just and dignified can be used here.

But once again: perhaps these are not the ethical terms with which one can operate in war. According to von Clausewitz, war is characterized by the extreme use of force to achieve its goals. Although this definition essentially refers to the belligerents (in the sense of the parties physically fighting each other), war is also likely to impose its logic on other actors who are affected or involved in another way, even if they do not use weapons.

In short: even ethical questions of mining, which may be in the foreground in times of peace, are probably subordinated to the logic of war in times of war. This would address other, arguably much more fundamental philosophical categories. Very pragmatically, however, one could ask; what does fairness or dignified coexistence mean under the conditions that war imposes on us? And what does that mean for mining?

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3. Some have compared the minerals deal to the situation in lost war Iraq, where, mostly American construction and oil companies, were awarded contracts and earned billions. Do you see parallels? How to prevent such a western money boom?

One way to approach this would be to make sure that Ukraine is in an equal negotiating position and that agreements are reached with a diversity of stakeholders so that dependency on one big player is ruled out. This applies to:

- having a diversified set of investors
- having the various stakeholders (from affected local community representatives to the investors) at the negotiating table,
- possibly having a mediator and/or observers to ensure a transparent process
- impede issues like corruption.

(See also our elaboration on the previous question.)

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4. Could you point to other knowledgeable sources on this?

We recommend looking at sources on the logic of war explaining the difference between a state of affair in peace and during an extreme situation of war.