



10 Reasons Certification Schemes are not a Solution



Mining is not Sustainable and can Never be Sustainable

The certification concept is well known and essentially flawed in extractive industries such as agroindustry (palm oil, soy), forestry and fisheries and fish farming, among others. **Also in mining activities**, certification schemes are becoming a major industry (within policy) trying to influence communities to capitulate to the demands of capital: to mine and destroy land, water, and life for new technologies and energy transition. **We reject the greenwashing** of irreversible social and environmental destruction. To engage in the process as affected communities or civil society organizations (CSOs/NGOs) helps to legitimize this harming system. To this, **we don't engage and say: BASTA!**

**We advocate for community sovereignty and their
Right to Say NO to mining**

Here are 10 reasons why you should be wary of certification schemes in your communities

1

The “energy transition” as currently proposed is developed by a narrow group of interested parties, whose priority is not to remediate and repair the planet, but to capitalize on the climate crisis in order to maintain their privileges. The idea of “responsible”, “green” and “sustainable” mining is mobilized in order to gain a so-called “social license” for the mining industry, whose reputation is at historical lows due to its violations.

Certification is becoming an essential part of promoting that the industry has changed, that it now works to “highest standards.” This systemic greenwashing of the industry obscures and gives license to companies to continue with their harmful patterns.

2

Those standards are created by private actors, and hence it is biased to serve the industry (multi)stakeholders, which is to license the activity of opening new mines or continuing existing operations. Accreditation certification bodies are setting standards for the mining industry and supposed best practices for the extractive industry. But this way, these build credibility in terms of “sustainability” and “responsibility” for a fundamentally destructive industry.

3

Criteria among different standards and certification schemes vary widely, crucially they reflect concerns from mining companies, not those of communities nor of the environment. Though some standards indeed reference or may include international conventions or standards (from the UN, OECD, etc), it is questionable how private auditors are able to assess these.

Furthermore, criteria may indeed be incompatible with both international conventions such as ILO169 and Escazú in Latin America, national laws and local governance structures and are non-applicable at all to all the locations, contexts and communities.

4

Standards, industry initiatives and certification schemes are essentially developed in the Global North and serve the purpose of continuing the privilege of financial and managerial classes in the global powers.

The very process of setting up a standard, its criteria and certification system takes usually too long, and in the end, engaging in the process ends up functioning as a distracting maneuver while in the meantime, the mining activities and process continues to develop without pause.

5

Certification standards are not made to hold mining corporations accountable for their violations, to punish wrongdoings, to stop or close operations, but to make mining activities look cleaner and more acceptable, in particular to the buyers and processors along the supply chain of the raw materials (e.g. nickel processors, car industry, etc), which will then be used for marketing and profit-making purposes.

6

Certification proceeds mainly through auditing, which can be merely bureaucratic - based on the claims of the companies, or in some cases, may involve site visits. However, site visits take place at a specific point in time, and are usually coordinated with the company to show them in their best light. This showcase thus will not reflect the entirety of the company's activity on the project.

Moreover, as Indigenous communities and nature defenders have denounced in South America, the audit process is restricted to selected social actors who at least need a translator, a computer, internet access and the time to respond to confusing questionnaires. Importantly, whatever the outcome of certification (some are graded), the company will likely use their mere participation to show that they are 'responsible,' and working to 'improve,' promises that most probably will never happen.

7

The mining company pays another company, the certifier, for their services, which then often hires another company to perform the audit. There is inevitably a bias to approve or ensure that the mining company is doing well, or that their project complies with the standard. There is a strong conflict of interest. If they do not 'pass' the test, the company will simply turn to another certification body, which for the certifier ultimately means losing a client. This inevitably tends to lower the standard pursued. The certifier gets paid to certify the mining company and will do so.

8

These industrial initiatives offload and privatize responsibilities from governments to the private sector, managed by technocrats who implement the system for the profit both of the mining companies and the certifiers. Particularly concerning is that some governments are working to include certification schemes into legislation as a result of strong international corporate lobby in the mineral-rich countries.

9

Standards and certifiers also privatize access to remedy, in cases in which they offer grievance mechanisms, with no guarantees that justice will be served. It is already exceedingly hard to have a fair and just process for communities. Hence, certification schemes may indeed strengthen corporate impunity. (German certifier TÜV SÜD 'approved' the safety of Brumanidho four months before the disaster, while the risks were known). Private standards and certifiers should be held accountable for their own responsibility in human and natural disasters.

10

Certification schemes are now strategically deployed for massive expansion of the mining industry for "critical minerals" extraction at any cost. This is happening in the salt flats of South America where lithium mining operations of SQM, Albemarle (Chile) and Livent (Argentina) are being certified in spite of continuous violations and direct claims from local communities and organizations for these companies to be excluded from any certification system.

In the meantime, local communities and social movements experience the emergence of internal divisions caused by the pressure put by certification organizations. As a result, certification systems have their own irreversible and deep socio-environmental impact in the territories. They don't have an interest to enshrine and genuinely respect the Right to Say No to mining.



What's the alternative for local communities affected by mining?

What is very important is the recognition and respect of the Right to Say No to mining.

All the work and energy invested in setting fraudulent certification processes that don't solve the root problems of mining on affected communities should be better directed to stop unsustainable production and consumption of discardable goods that will not resolve the climate crisis by themselves. By the contrary, these are creating environmental degradation in key ecosystems affected also by a biodiversity loss crisis.

Instead of presenting certifications for more harmful mining as a solution, efforts should be put into creating a just energy transition with human rights not depending on the destruction of the water, territories and environment of Indigenous and rural communities and to respect the self-determination, enforcing already existing international conventions, binding State and/or regional/local legislation, judiciary and inspectorates which are able to control and actually demand mining projects to comply with existing regulation and legal consultation processes, as well as to ensure accountability and most important, consent.

Yes to life No to Mining global network (YLNM) are collecting testimonies among members and allies where "certification" is being used as a justification for more mining as usual or as a justification of "green" growth. If you would like to share your testimonies with "certification", please contact us at: info@yestolifenotomining.org