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Compiled by:

Centre for Research and Development

1St Helens Drive Mutare

+263202065411

crdzim@gmail.com,

www.crdzim.org.zw

Rising Against Impunity: The Power of Accompaniment in Penhalonga's Fight Against Mining Injustice

Overview

Penhalonga, located in Mutasa District, Eastern Zimbabwe, is a peri-urban community under the administration of the Mutasa Rural District Council and the traditional leadership of Chief Mutasa. Historically, local livelihoods depended on regulated large and small-scale mining, commercial agriculture, and forestry. However, economic collapse, exacerbated by the fast-track land reform programme, disrupted formal economic activity and triggered a wave of de-industrialisation. This, in turn, stimulated rapid growth in the informal economy, particularly in the mining and agricultural sectors.

The growth of informal mining activities, coupled with the establishment of new agricultural settlements, has intensified competing demands for land use. In the absence of legal reforms in natural resource governance amidst policy inconsistencies, Zimbabwe has witnessed rising land conflicts, widespread unregulated mining, rampant mineral smuggling, environmental degradation, and increased vulnerability of local communities. At the same time, billions in potential revenue have been lost through illicit financial outflows. Penhalonga has not been spared from these national trends.

The advent of the "Second Republic" in 2018 was premised on introducing reforms aimed at closing existing legal and institutional gaps to stem the country's economic decline. The Government accordingly presented key legislative reforms to the 8th Parliament as part of its broader National Development Strategy 1 (NDS1), the policy vehicle intended to achieve an upper-middle-income economy by 2030. Among the most important proposals was the long-overdue amendment of the Mines and Minerals Act, the principal law governing the mining sector. The proposed changes sought to address land conflicts, strengthen environmental accountability, and promote responsible mining.

Additionally, the introduction of a principal Devolution Bill and accompanying local governance reforms was intended to devolve power over resources and decision-making to local authorities and traditional leaders. However, these key reforms were not expedited, and some, like devolution completely abandoned. In their absence, the government unbundled the mining sector by accelerating mineral exploration and reopening closed mines in pursuit of revenue targets. The net effect of mining expansion without reforms has been the escalation of land disputes, the displacement of communities, and deepening social fragmentation. Without devolved authority amid increased resource capture by elites enabled by centralised governance, local authorities remain powerless to protect their communities or enforce accountability.

The report examines the community-level consequences of land conflict, resource capture, and lawlessness in Penhalonga. It documents the community's organised resistance, which resulted in the formation of the Penhalonga Low Residential Area Committee (PLRAC) to defend resident rights, with accompaniment support from CRD. Against this backdrop, the edition highlights the community's progress over the last 5 months, profiling three important stories where CRD's accompaniment strategy empowered the Penhalonga community to rise collectively and confront injustices affecting their land, health, and dignity. First, the destruction of Mutare River and lawless mining on the Rezende section, or "The Island," which threatened environmental health and fueled gold smuggling; second, the ongoing Redwing Mine crisis, where Betterbrands continues unsafe artisanal operations under disputed agreements, raising serious questions about Metallon Corporation's accountability; and third, the proposed TMP/PVI tailings storage facility in Penhalonga's Low Residential Area, which reignited land disputes and exposed residents to severe health, safety, and environmental risks. Across these stories, CRD capacity building for PLRAC on environmental monitoring, legal rights, documentation, community watchdog functions and rights claiming enabled them to engage authorities and assert their rights in the face of systemic threats.

Cycles of Betrayal: As Rain Looms, Mutare River's Struggle Remains Unfinished

Walking with Communities

In November 2024, CRD rallied 830 households from the Penhalonga Low Residential Area(PLRA) to sign a petition demanding government accountability for the rehabilitation of Mutare River, which had been destroyed by mechanised alluvial gold mining activities under government watch. Chinese mining companies and local mining syndicates, such as Primascopic, have left behind a devastating legacy: fatal pit falls from digging by illegal miners have already claimed lives. Furthermore, the operations left mountains of overburden soil along the riverbank, which blocked the diverted river channel. This has resulted in excessive siltation and overflow, threatening the lives and properties of residents in PLRA with the risk of flooding and exposed pits.

Before the submission of the petition, CRD had rallied residents to write a letter to the officer commanding police in Manicaland Province, demanding an operation to end illegal mining activities in Mutare River. These activities were violating SI 258 of 2018, which prohibits setting mining processing mills within 500 metres of the riverbank. They were also in violation of section 31 of the Mines and Minerals Act, which prohibits mining operations within 450 metres of people's houses.

During this period, CRD also rallied civil society organisations demanding government ban on riverbed mining be immediately followed by legal reforms. CRD's sustained advocacy, combined with community outcry, played a key role in forcing government to effect a ban on riverbed mining. It also led to a joint state security operation to flush out all illegal mining activities in Mutare River and placed the area under control by security forces. The government indeed responded to citizens' demands enunciated in the CRD advocacy campaign by gazetting SI 188 of 2024, which completely outlawed riverbed mining during this period. Thus, the petition also demanded government immediately undertake environmental audits to fully comprehend the scale of destruction in affected rivers nationwide and hold former miners accountable for rehabilitation. A year has passed without the rehabilitation of the affected rivers, and some, like Mutare

River, have degenerated into lawless mining zones. During this period, one of the worst cases of lawlessness and community devastation was seen in the Rezende section of Mutare River, popularly known as "The Island."

18kg Gold, 56 Days of Chaos: Inside the Island Battle

From 15 May to 10 July 2025, close to 1,000 people, including illegal gold miners, smugglers, vendors, and sponsors, engulfed the residential yards of PLRA after the discovery of suspected high-grade ores on the island. The island, measuring approximately 5,000 square metres, is located within Mutare Riverbed next to Penhalonga Low Residential Zone, which lies along the river. It quickly became a hotspot for uncontrolled extraction. The illegal operations on the island were soon claimed by Betterbrands from across the river in Rezende. Thus attracting other actors such as gold millers, state security operatives, political functionaries, and ZANU-PF-linked groups such as the Boys Dzamudhara, in collaboration with over 600 illegal panning syndicates. State security forces deployed in the area joined the gold ore smuggling rings.

For nearly two months, PLRAC, accompanied by CRD, were engaged in endless meetings with regulatory authorities at every level to stop illegal mining activity on the island and protect the rights of citizens to environmental protection, dignity, and the security of their properties. Betterbrands-led mining syndicates resisted ZRP removal efforts, claiming mining rights on the island amid concerns of political intimidation and conflicts of interest among law enforcement agencies. Sustained pressure from PLRAC eventually forced EMA to issue a stop order against Betterbrands-led mining syndicates on the island. EMA cited Statutory Instrument 188 of 2024, which prohibits riverbed mining. The order aligned with an earlier High Court ruling secured by residents in 2024 with support from CRD and Zimbabwe Lawyers for Human Rights (ZLHR). The ruling banned riverbed mining in the Rezende section of the river, where the island is located. In their formal letter of complaint to EMA and other government authorities, the committee raised serious concerns about deafening noise pollution, exposure of residents to mercury and cyanide, property damage, underground instability, rising social ills and crime, and other environmental health risks from illegal mining activity on the island. They also highlighted growing insecurity as mining and smuggling routes expanded across residential areas, transforming private roads into corridors of illicit gold trade.

On 10 July 2025, ZRP enforced the EMA stop order and cleared the island.In an effort to close the mining pits and prevent recurrence, ZRP, in consultation with PLRAC, sought assistance from Metallon Corporation. Metallon, the leaseholder of Redwing Mine, brought a bulldozer to the island. However, Cuthbert Chitima, general manager of Betterbrands, mobilised illegal miners to block the dozer.

Addressing miners at the site, he claimed that Betterbrands had appealed to EMA against the ban and would resume operations after addressing “a few issues” with the regulatory authority. Mr Rambwayi Mapako, the Provincial Manager for EMA, also intervened to halt the community-led initiative, arguing that closing the pits would constitute rehabilitation, which he claimed required cabinet approval. He warned police and PLRAC not to take independent action until a government directive was issued. Following his directive, ZRP and Metallon withdrew from the standoff with Betterbrands on the island.

Mr. Mapako reiterated his decision in a follow-up meeting with PLRAC. He urged the committee to continue collaborating with the police to prevent the influx of illegal miners, despite concerns that children could fall into the open pits. However, just one week later, residents were shocked to learn that Betterbrands' appeal against the ban had been accepted by EMA, despite the absence of a cabinet directive. EMA granted Betterbrands two weeks to prepare a "rehabilitation plan," controversially allowing continued mining in some areas of the island. According to EMA, Betterbrands had argued that the island was not part of the Mutare River system but a landmass created by past mining-related diversions, a claim widely disputed by residents and environmental experts. In the follow-up meeting, PLRAC rejected EMA's explanation, which cited an alleged Zimbabwe National Water Authority (ZINWA) report claiming part of the island was outside the Mutare River. Residents viewed EMA's explanation as an orchestrated attempt to justify mining in the riverbed while encroaching on residential zones.

In light of Betterbrands' resistance to leaving the island and the struggle the community had endured to defend their rights, CRD was compelled to investigate to ascertain the revenues accrued by Betterbrands- led syndicates to the state. Thus, CRD conducted interviews with syndicate miners who operated mining pits on the island at the height of the gold rush. Calculations made by mining experts based on information gathered by CRD indicated that approximately 18 kilograms of gold worth an estimated US$1.925 million were lost to illegal mining syndicates under Betterbrands' control. Syndicate miners indicated that approximately 28,000 bags of potential high-value ore, averaging 500 bags per day, were extracted from about 25 pits during the mining rush. They further explained that, upon delivering fair portions of bags to Betterbrands, they were free to smuggle the rest for processing at illegal hammer mills and leaching tanks spread around Penhalonga. Many of these hammer mills and buyers had been established on the riverbank for easy access. CRD findings indicated that these operations fueled an already thriving gold black market with negligible contributions to formal gold channels.

The investigation further established that the harm caused by these illegal activities to the community far outweighed economic benefits. The operations remain profitable because mining cartels evade taxes and environmental obligations.CRD further discovered that despite a Supreme Court ruling overturning the corporate rescue of Redwing Mine, which formed the basis of Betterbrands' mining claim, the company continued operating, supported by shifting government positions and political protection. A prior eviction notice and cancellation of the tributary agreement issued by the Permanent Secretary for Mines on 23 August 2024 was later contradicted in a letter dated 11 July 2025, issued by the same Permanent Secretary of Mines. The letter, reaffirming Betterbrands' operations, came just days after a police-enforced ban on mining operations at the island under SI 188/2024.

Meanwhile, EMA's sudden reversal on the mining ban on the island demonstrates a troubling double standard and regulatory bias. While denying a community-led initiative to fill in dangerous pits, citing the absence of a cabinet directive, it granted permission to a conflicted mining company to "rehabilitate and mine" in direct violation of SI 188/2024 and a standing High Court ruling. Local geological knowledge suggests the exposed outcrop, known as the "island," is part of a larger mineralised fault zone extending towards Nyamutambo Shaft and connecting to the Coldawn mining area. Continued mining along this belt could result in unstable tunnels and subsidence. At the same time, exploiting this belt beneath Mutare River is highly dangerous and a clear breach of SI 188/2024. PLRAC, in collaboration with ZRP Penhalonga, have enlisted the services of constabulary officers to assist the community in deterring the influx of illegal miners in their residential zone whilst reporting to the police illegal mining attempts on the island. PLRAC is also mobilising resources to challenge Betterbrands' proposed rehabilitation plan on the island. PLRAC fears it will perpetuate open-pit mining, illegal gold flows, and environmental destruction. Already, a suspected illegal miner was found decomposing on the island, underscoring the human cost of lawlessness.

Redwing Mine Crisis: Community Demands Metallon Accountability

Roots of the Crisis

Penhalonga township was established in 1895 during the colonial era. The township developed alongside a long-established underground mining operation that had maintained a delicate balance between gold extraction and community safety. This arrangement, which predated Metallon Corporation's takeover in 2002 allowed flourishing housing development in line with the Regional Town Country Act (Chapter 29;12) and the Rural District Council Act (Chapter 29:13).That balance collapsed after 2020, when Redwing Mine was placed under corporate rescue, opening the door for the now notorious Betterbrands artisanal mining activities at Redwing Mine. Betterbrands is owned by politically exposed businessman Scott Sakupwanya. Despite the end of corporate rescue at Redwing in 2022, Sakupwanya has continued artisanal mining operations under a disputed non-standard tributary agreement. During a Betterbrands Environmental Impact Assessment(EIA) public consultation meeting in 2021, CRD joined residents in rejecting the proposed artisanal surface mining project due to its destructive impact on the environment. CRD also questioned the Environmental Management Agency(EMA) on the dangers of approving artisanal surface mining activities on top of disused shafts and tunnels at Redwing, which has the potential to trigger ground subsidence and loss of lives. EMA approved Betterbrands' EIA plan, despite the warning, marking the beginning of large-scale, chaotic surface mining. This mining model is fundamentally incompatible with Penhalonga's residential zoning. Despite the worst impacts, the unsustainable mining at Redwing is ongoing, highlighting troubling signs of regulatory capture, political shielding, and a deliberate erosion of responsible mining practices in Penhalonga.

Deadly pits, shattered communities

Since Betterbrands arrived in 2020, the landscape has deteriorated into a dangerous jungle of over 10,000 artisanal miners and sponsors digging in over 4,000 open pits. Hundreds of lives have been lost due to substandard mining practices. According to sources at the mine, an average of 5 people die every month. These mining deaths are being swept under the carpet. The figure rises to 8 or more during the rainy season. CRD has previously pressured the government to shut down mining operations at Redwing Mine in response to repeated fatalities over the years. However, these operations have consistently resumed with impunity. Some miners have fallen into pits as deep as 40 metres, as in the recent cases of Munyaradzi Jera at Rezende pit and Prince Sixpence in the Cinnamon area of Rezende. There have been disturbing reports of decomposing bodies of artisanal miners discovered in disused mining pits, with others allegedly murdered and left in open shafts at Redwing Mine.

The working conditions of these diggers are semi slave. Sponsors and Betterbrands take the lion's share after covering expenses, leaving miners with almost nothing. Their work environment is dominated by inadequate protective equipment, poor timbering, defective tools, radiation and HCS exposure, inadequate ventilation and insufficient supervision. Public infrastructure, such as bridges, roads, and water systems, has either been damaged or destroyed by heavy machinery and unregulated tunneling. Schools are struggling to operate, and residents' daily lives have been disrupted by noise pollution from generators. Local rivers such as Mutare have been heavily silted and contaminated by runoff from uncontained cyanidation tanks and hammer mills processing smuggled gold ore from Betterbrands held mining areas at Redwing.

CRD's on-the-ground investigations, released through press statements from as far back as 2020, sounded the alarm on these issues. The statements raised alarm on the systematic breakdown of environmental management and community safety, driven by an alliance of politically connected actors, weak regulation and demanded government accountability. This year, CRD's February 2025 newsflash further revealed that Betterbrands' porous mining operations were sustaining over 1,000 illegal gold processing plants scattered across Penhalonga with smuggled gold ore. Some of these processing plants are located in residential zones. Residents have been pushed to the margins of their own community, surrounded by toxic waste and the daily threat of violence and criminality.

Legal Orders Ignored or Metallon is hiding behind Betterbrands?

As mentioned earlier, Betterbrands has remained operating at Redwing Mine despite a Supreme Court ruling delivered on 5 September 2022, which invalidated all corporate rescue agreements that brought Betterbrands. A subsequent eviction order issued by the Ministry of Mines on 23 August 2024 clearly directed Betterbrands to vacate the Redwing Mine lease. Inside sources claim that no action was taken by Metallon to enforce the order. A stunning reversal was made this year on 11 July by the same Permanent Secretary of Mines, Mr Pfungwa Kunaka. He issued a letter to Betterbrands confirming its continued operations at Redwing under the disputed non-standard tribute agreement that was approved by the Mining Affairs Board during the corporate rescue period of 2021. This decision came despite binding legal precedents that should have rendered the agreement null and void according to reliable sources. What made the development more concerning was the timing of the letter's issuance. "It was granted in July 2025, at a time when Betterbrands had been banned from operating on the island, a suspected gold-rich section of the Mutare River. The Ministry of Mines' 2024 eviction order directly challenged Betterbrands' legal right to remain at Redwing Mine.

Metallon Corporation remains the legal leaseholder of Redwing Mine. Backed by international investors, including Namib Minerals, which is listed on the U.S. Stock market to attract investors and capital, Metallon was expected to uphold principles of good corporate governance, community rights, and environmental responsibility. But since the Supreme Court victory, Metallon has remained conspicuously silent on the unsafe mining practices now defining Redwing. It has not pursued visible legal remedies to end unsafe mining activities and protect community welfare. This passivity has raised alarm among thousands of residents who now question why Mettalon has chosen to avoid accountability while its name remains attached to a mine engulfed in death, smuggling, and destruction. Recognising the escalating crisis, CRD, in consultation with PLRAC, formally engaged Metallon Corporation in July 2025. CRD questioned Metallon's failure to timeously take visible legal or public action to enforce the Supreme Court ruling and the subsequent eviction order issued by the Ministry of Mines in August 2024. CRD further questioned Metallon's troubling silence in the face of documented environmental collapse, alarming death toll, and systemic gold smuggling under its name. Even more concerning was that Metallon continues to receive gold mined under conditions marked by political capture, corruption, semi-slave labour, and violence. CRD also raised reports implicating some Metallon staff in facilitating mineral smuggling at Redwing for personal gain.

In response to CRD, Metallon expressed regret over the harm caused by ongoing mining activities and dissociated itself from the unsafe operations. The company reaffirmed its commitment to international best practices and pledged to investigate the rising deaths at the mine, while acknowledging that some issues were beyond its direct control. Metallon stated that it was fully engaged with government at the highest level and had already taken legal steps to reclaim operational control of Redwing Mine.

However, Metallon's response remains unconvincing, lacking visible efforts to engage oversight bodies such as the Parliament of Zimbabwe, the Zimbabwe Human Rights Commission, or international actors to force the government to restore the rule of law at Redwing Mine. Today, Penhalonga has become a symbol of extractive injustice with Redwing Mine at its centre. They are now trapped in a collapsing environment: roads are nearly impassable, social services have disintegrated, and a parallel informal economy fueled by gold smuggling, illegal vending, and lawlessness has taken over the valley. Penhalonga increasingly resembles a shanty town, far removed from the model mining community it once was.

The surrounding farming community has not been spared. Thousands of illegal gold processing plants, including cyanidation tanks and hammer mills, are now scattered across farmlands, rivers, and even public institutions, such as St. Augustine's Mission, Saungweme Primary School, and villages like Muchena, Zengeni, and Magarasadza. These operations are polluting water sources, endangering livestock, damaging crops, and compromising community health.

Most of them are fed with gold ore extracted from Betterbrands-controlled areas at Redwing Mine. The crisis has since deepened, with Betterbrands allowing sponsors to process their portions of gold ore off-site after taking its own share, blatantly violating section 3(d) of the non-standard tribute agreement, which mandates that all gold ore must be processed on-site. With over 16,000 citizens bearing the brunt of environmental degradation, the critical question remains: Where is Metallon in all this?

Mining Tailings Reignite Land Conflict in Penhalonga’s Low Residential Area

Residents Confront TMP/PVI in Heated Meeting Over Proposed Dumpsite

In early May 2025, residents of Penhalonga's low residential Area, historically known as Manager’s Hill, woke up to the rumble of heavy machinery, including excavators, dozers, graders, and dump trucks clearing land in their backyards. Upon inquiry, they were told that a tailing storage facility(TSF) was being constructed by The Mining Portfolio (TMP) in partnership with Penhalonga Valley Investments(PVI), on land the latter claims as its concession, reviving a land dispute between the local authority and the Ministry of Mines, with residents caught in the middle. Fearing the destruction of their property and the establishment of toxic mining waste in their area, residents quickly mobilised. The Penhalonga Low Residential Area Committee(PLRAC), accompanied by CRD, immediately approached the Ministry of Mines for intervention. They were referred by the Provincial Mining Director, Sibongubuhli Mpindiwa, to engage directly with TMP and PVI on the matter.

In a heated meeting with TMP and PVI, a TMP geologist made a frantic attempt to convince the residents’ committee to accept the coexistence of a TSF within their residential area. He claimed that TMP would use modern technology to reclaim the old dumpsite and deposit waste in a manner that would not harm residents. However, his justification was angrily rejected by the committee, insisting the area was residential and mining would not be tolerated. In a combative response, Mr Chinonzwa, Director of PVI, angrily shot back at the residents’ committee, directing blame at the Mutasa Rural District Council (MRDC) for allegedly duping residents by allocating residential stands in a designated mining zone. He claimed that MRDC had sold the land without clearance from the Ministry of Mines. Chinonzwa insisted that PVI had every legal right to proceed with the mining project, having secured all the required documentation. To support his claim, Mr Chinonzwa produced an approved EIA of 2007 permitting PVI to establish a small-scale mine in the area. Most alarmingly, he produced EIA addendum approvals from the Environmental Management Agency(EMA) dated April 2025, granting him licences for the establishment of a slime dam and solid waste disposal on the very land where people now live.

However, documents provided to CRD by multiple sources reveal a complex and contentious history surrounding the disputed area. In 2008, the Department of Physical Planning, through the Provincial Planner(PP) and in consultation with relevant ministries, approved a residential extension in the area. In 2012, PVI re-registered the land as a mining site, even though residential stands had already been developed. The following year, under the name Saunyama Gold Claim, PVI complained to a new PP in the Department of Physical Planning that MRDC was issuing residential stands in his mining concession. In consultation with the Mining Commissioner, the planner advised against any further residential extension in 2014, though residents alleged that corruption in regulatory functions may have influenced this decision. The Mining Commissioner, for his part, maintained that it was not the Ministry of Mines' mandate to "support sterilisation of the ground in areas which are known to host significant minerals in significant quantities."

Minutes reviewed by CRD indicated that on 16 November 2015, a meeting of all relevant government planning authorities was held at the site to address the implications of residential development in the area. The meeting revealed deep-seated planning flaws, inconsistencies, and competing priorities. The Ministry of Mines admitted it had erred by issuing a mining certificate to PVI in 2012 without consulting the land authority. The meeting recommended that the Ministry of Mines conduct ground verification before issuing registration certificates in future, and that each ministry take corrective legal action in consultation with other stakeholders.

The meeting also recommended that a census be conducted by MRDC, DA's Office and Ministry of Mines to identify affected residents and alert them of the risks of living in a mining area. It also recommended that PVI compensate those who would need to be relocated to safer zones. These recommendations were largely ignored. Even before the meeting, in May 2015, the council had supported a resident affected by PVI's mining encroachment, emphasising that the area was a designated residential zone according to the approved layout plan by the Department of Physical Planning, which guides council land-use decisions. MRDC also clarified that it had not authorised the existence of the milling company in the residential zone. The resident subsequently won the case in the Magistrate's Court under Case No. 931/2015, with the ruling on 18 September 2015 affirming their undisputed right to undisturbed occupation. This was in direct opposition to PVI's claim that the area was its mining zone and unfit for human habitation. PVI's subsequent application to the High Court seeking a declaratory order is still pending.

EMA Explains Dumpsite Approval, Flags Risks of Co-Existence with Residential Area

During this period, CRD led PLRAC in engaging EMA on the granting of Environmental Impact Assessment (EIA) certificates and a waste disposal license to PVI for the establishment of slime dams and waste disposal facilities in a residential area.CRD questioned EMA's ethics of approving a high-risk TSF without renewed consent of all stakeholders, including residents. CRD challenged EMA's approach, noting that it exposed residents to hazardous toxic waste in violation of Section 30 of the Mines and Minerals Act, Section 70 of the EMA Act, and Section 4 of Statutory Instrument 10 of 2007. These laws provide clear justification for EMA to reject the implementation of toxic mining projects in sensitive areas that pose environmental and health risks to local communities. CRD questioned the integrity of granting an EIA to a mining project located less than 20 metres from a residential property and only 30 metres from Mutare River in violation of SI 188 of 2024, which banned riverbed mining. Needless to say, the disturbance of the natural riverbanks, which have been reinforced by vegetation grown over tailings for over a century, would compromise their stability and pose serious environmental and safety risks to the residential zone.

EMA’s management team, led by Mr Mapako, acknowledged that the mining project cannot coexist safely with the residential area. He explained that EMA’s approval of the EIA addendum and licenses was on the basis that the area was an approved mining site and that the project did not constitute a new mining expansion. Mr Mapako further argued that EMA’s monitoring of PVI’s compliance with their approved EIA will be solely based on the principle that the site is not a residential area. He clarified that EMA had no legal authority to halt the mining project in response to PLRAC’s pressure for the agency to suspend operations until the dispute is resolved. He pointed out that such powers rest with the Ministry of Mines, which issued the mining certificate to PVI. The EMA team added that resolving the land issue would require all stakeholders to present their documentation to challenge the validity of the documents that granted PVI its mining certificate in a residential zone.

Additionally, EMA highlighted that an EIA should have been conducted by the housing authority before the development of the residential zone. The agency suggested that all regulatory authorities present their positions to the Minister of State for a determination. CRD, however, refuted EMA’s position that it had no power to halt the project, arguing that it was EMA’s prerogative to defend the environmental health of citizens, as enshrined in section 73 of the Constitution. EMA was therefore obliged to ensure proper consultations were conducted, particularly given the presence of a residential area.

Community Considers Mass Action to Block TSF construction

On 16 May 2025, residents under PLRAC convened a community meeting where they unanimously resolved to take collective action, including staging a mass demonstration at the mining site, to stop construction of TSF in their residential area. The decision to mobilise followed the Ministry of Mines’ failure to respond timeously to a formal letter submitted by PLRAC on 5 May 2025. In the letter, residents demanded an immediate halt to the construction of the TSF. Residents questioned the Ministry’s approval of a plan allowing toxic mine tailings from the TMP mining site uphill to be transferred down into their residential area. They also opposed the planned reclamation of an 80-year-old tailings site along the banks of the Mutare River, which is situated within their residential area. Both operations were approved without addressing long-standing planning and regulatory concerns.

Furthermore, residents argued that the tailing project will not only affect the 32 households directly disputed by PVI. The selected site for the TSF lies in a windward location, raising alarm over poisonous dust emissions that will impact more than 800 households and businesses in Penhalonga's low residential areas. An estimated population of 16,000 people, including Tsvingwe and the surrounding farming communities, will be adversely affected by flying poisonous dust.

In the letter, residents reminded the Provincial Mining Director that communities in Tsvingwe and the Redwing Mine compound have long suffered from dust-related diseases such as pneumoconiosis and tuberculosis, caused by exposure to Redwing Mine tailings that TMP wanted to set up in their residential area. Citing Section 73 of the Constitution of Zimbabwe, which guarantees the right to an environment that is not harmful to health or well-being, residents expressed deep concern over the anticipated respiratory illnesses caused by airborne silica and hydrogen sulfide emissions, substances known to cause silicosis and lung cancer. They also warned of soil contamination from heavy metals, noise pollution, and drastic declines in property values.

Furthermore, the residents urged the Provincial Mining Director to respect their constitutional right to dignity and uphold provisions of key environmental and planning laws, including the Mines and Minerals Act (MMA), the Rural District Councils Act, the Regional, Town and Country Planning Act (RTCPA), the Environmental Management Act (EMA), and other relevant statutory instruments.

TMP/PVI responds to community backlash over tailings project

Amid growing community mobilisation against the planned tailings, TMP and PVI issued a joint statement to residents on 25 May 2025, defending their project.TMP argued that the PVI site was a historically licensed processing and deposition area that had been used for tailings disposal before 1900. TMT further claimed that the existing tailings, currently estimated to be over 70,000 tonnes and located beneath several residential homes, were polluting Mutare River. They argued that the tailings were generated between 1895 and 1946, a period before environmental regulations were mainstreamed, hence they were still toxic. Based on this, TMP and its partner PVI said they were seeking to rehabilitate the site and construct a modern, well-designed tailings deposition facility.TMP went on to array environmental health fears by arguing that TMP had spent an excess of US$250,000 in designing and testing the site to develop world world-class international standard plastic-lined, dust-proof and environmentally responsible tailings facility, and construction costs to be borne by PVI will exceed US$1million.

TMP also further impressed that it was an ethical and responsible corporate operating the most highly technological, environmentally responsible reduction facility with state-of-the-art extraction procedures, a lead recovery circuit, and a highly effective cyanide recovery circuit that will ensure zero cyanide present in any tailings. The facility also has a talcum powder recovery circuit, and the final residues containing zero contaminants will be moved to the site as a paste that will be spread mechanically and compacted. However, these claims were flatly rejected by residents. They reiterated that they had invested heavily in the area over the years on the understanding that it was a designated residential zone, not a mining zone. They strongly objected to the transformation of their community into a tailings disposal site, citing health hazards, safety risks, and the long-term maintenance burden that tailings facilities pose even after active mining has ceased.

Residents dismissed TMT/PVI’s historical justifications, stating that while mining may have occurred in the 18th and 19th centuries, current land use laws must still be respected. They argued that if the companies have discovered profitable gold values in the old tailings using modern technologies and chemical processes, then the companies must compensate residents fairly for the forced change in land use rather than force residents to co-exist with toxic mining tailings. Moreover, residents denounced the attempt by TMT to hide behind PVI's legacy operations to legitimise new mining activities in a residential zone.

TMP halts TSF construction

The Mining Portfolio Mining Project in Penhalonga

Following another round of meetings between PLRAC and responsible government departments, including the Deputy Provincial Mining Director, mining activities at the dumpsite were halted. The halt was crucial to protect residents' properties and environmental health, pending a determination by the Minister of State after hearing all stakeholders.

CRD Meeting with TMP

On 28 May 2025, CRD Director Mr James Mupfumi held a meeting with Mr Harry Greaves, Director of TMP in Mutare, to present community concerns over the proposed tailings project in a residential area. Mr Mupfumi conveyed the community's position that TMP respect their right to environmental health by relocating the project to a site within TMP's designated mining zone.

In response, Mr Greaves reiterated the TMP/PVI position that the Penhalonga Valley Investments (PVI) site was a legitimate and licensed claim, backed by requisite documentation. He stated that the area in question had long been condemned for residential development and, therefore, was legally suitable for mining-related activities. He acknowledged community concerns and expressed TMP's willingness to offer alternative land to directly affected residents for the development of their housing stands.

Mr Greaves emphasised TMP's commitment to establishing a world-class tailings management facility, projecting the creation of 500 jobs and claiming this would inject significant revenue into the local community. He added that TMP had already engaged an internationally experienced company to manage the tailings in accordance with global best practices. The TMP director proposed forming a joint TMP/PVI–PLRAC monitoring committee to oversee dust and noise control, and to enforce environmental penalties, with proceeds directed to the community. He also committed to allocating funds for this environmental monitoring activity under PLRAC oversight. Mr Greaves further expressed readiness to contribute to corporate social responsibility initiatives, including the renovation of Elm School, which the company had already begun, and plans to upgrade local clinics and schools.

Mr Mupfumi raised concerns about the short and long-term environmental and social risks of establishing and maintaining a tailing facility in a residential zone, especially given doubts about PVI's ability to manage the site after TMP ceases operations or transfers the project. He emphasised that the residents' rights to dignity, privacy, and property were earned over decades of investing in housing development. He reminded Mr Greaves that residents pay significant local authority levies, and the project's impact extends far beyond the 32 households directly affected, reaching the wider Penhalonga Valley community.

By the end of the meeting, Mr Greaves gave a verbal assurance that the construction of the TSF in the residential area would be aborted. He indicated that the company would explore the possibility of extracting tailings from the existing old dumpsite and processing them at the TMP main plant uphill. However, this alternative also raised concerns due to the old tailings deposit's proximity to existing homes and Mutare River, which continues to pose a potential risk to residential safety.

TMP trail to Penhalonga: The Greaves Connection

According to a statement issued by TMP, The Mining Portfolio (Pvt) Ltd is a Zimbabwean-registered company owned by a Mauritian subsidiary. The Mining Portfolio (TMP) owns Coldawn Investments (Pvt) Ltd, a company that has owned and operated mining claims in Penhalonga for a considerable period of time.

However, information found by CRD indicates that Duncan Harry Greaves, the Director of TMP, was a founding director of Prospect Resources. His main task was to present all Zimbabwean mining opportunities to Prospect for acquisition and investment. Indeed, Greaves brought under Prospect's acquisition Farvic Consolidated Mines, Hawkmoth Mining and Exploration, the Penhalonga Gold Project (Coldawn Investments), and the Arcadia Lithium Project. Greaves was instrumental in the exploration and development of Arcadia Lithium, which saw Prospect, with an exploration cost injection of US$25.7 million, sell Zimbabwe's lithium deposits to Chinese Zhejiang Huayou Company for US$422 million in December 2021. Zhejiang Huayou is the world's largest producer of cobalt. He pocketed a whopping US$387 million for the Australian-listed Prospect Resources. The remainder went to locals who had 13% shares in Arcadia Lithium. The government received under US$26.8 million in capital gains taxes, according to Prospect publications.

Prospect Resources had special economic zone status, which granted it generous tax holidays. President Mnangagwa presided over the signing ceremony of the US$422 million binding agreement between Prospect Arcadia Lithium Resources and Zhejiang Huayou in December 2021. The government was widely criticised by citizens for facilitating unjust benefit-sharing deals in which corporates and local elites benefited from national wealth while the nation was left with crumbs. Civil society groups bemoaned parliamentary weaknesses in failing to provide oversight. Civil society, like CRD, also bemoaned the lack of sound policies for strategic minerals to ensure Zimbabwe derived meaningful benefits from its natural resources.

Harry Greaves stepped down from the Prospect board of directors after what Prospect described as “a well-planned transition” in September 2021. It was the same time Prospect announced that it had sold its Penhalonga Gold Project to Luzich Partners LLC for US$1 million, according to Prospect’s 2021 annual report. Luzich is a United States multi-strategy investment firm. Luzich, however, is not mentioned in the information published by TMP about its shareholding structure. Information disclosure on beneficial shareholders in Zimbabwe helps communities identify potential conflicts of interest that could influence decisions on permits, evictions, or environmental compliance.

In its statement, TMP pointed out that it was a Zimbabwean-registered company owned by a Mauritian subsidiary, whose principal investor was attracted to Zimbabwe following a meeting with President Mnangagwa.TMP also announced that the President’s visit to open the mine was imminent. While international companies often form subsidiaries in Mauritius due to a favourable tax regime, these advantages have frequently been exploited to mask beneficial shareholders, facilitate illicit financial flows, and disregard environmental crimes and public accountability. What has, however, remained central in all these mining transactions and international resource linkages, which ultimately led to the formation of TMP, whose beneficial shareholding has not been publicly disclosed, is the name Duncan Harry Greaves.

In August 2025, a government media outlet reported that TMP, as a” US-based firm” with a US$20 million investment, was set to revive Penhalonga’s dormant gold mining industry. TMP’s investment so far in Penhalonga demonstrates world-class mining potential through its modern infrastructure, including the sinking of headgear and the development of efficient mining facilities. The project is creating hundreds of jobs. Beyond mining, TMP has committed to uplifting the community through corporate social responsibility programs, as already outlined by Mr Harry Greaves. However, what remains critical is for TMP to visibly demonstrate a genuine commitment to respect the environmental health rights of Penhalonga community.

Tensions Flare as Minister Aborts Dumpsite All-Stakeholder Meeting

In an apparent attempt to secure a greenlight for the proposed tailings dam project, PVI and TMP invited PLRAC to an all-stakeholder consultation meeting over the disputed project. The invitation signalled a deviation from TMP Director's earlier decision, made during a meeting with the CRD Director, to relocate the project elsewhere.

The proposed meeting brought together the Minister of State for Manicaland Province, the Ministry of Mines led by the Provincial Mining Director, Mutasa Rural District Council (MRDC), District Development Coordinator (DDC) Mutasa, the President's Office Mutasa, Chief Mutasa, Department of Physical Planning, EMA, Councillors, State Security Agencies, TMP, PVI, PLRAC, CRD and ZRP Penhalonga to converge at Penhalonga Country Club on 4 June 2025.

In what appeared to be an attempt to portray the project as environmentally friendly, the PVI invitation letter stated:

The rehabilitation of an old tailings dam(dumpsite), which has been in existence from the previous miners for over 80 to 100 years, would be able to be constructed using modern methods which focus more on stopping pollution of natural resources, such as Mutare River and the surrounding environment, as it is dust-free and effluent-free. It is actually the first of its kind in the Southern Hemisphere"

On the morning of the meeting, PVI and TMP led the Minister of State, Honourable Misheck Mugadza, on a tour of the proposed tailings site. Upon his return to the venue, the Minister, who is also the Member of Parliament (MP) for the area, addressed PLRAC and other stakeholders, announcing the cancellation of the meeting. He explained that he needed more information about the land dispute before inviting all concerned parties to make their presentations, after which a determination would be made.After the Minister's departure, TMP and PVI attempted to mobilise stakeholders to proceed with their presentation. This move was immediately blocked by PLRAC and MRDC, resulting in tempers flaring and scuffling between the two camps.

The District Development Coordinator (DDC) for Mutasa and Chief Mutasa, who had just arrived, intervened and stopped the scuffle. They reassured PLRAC that TMP would not proceed with any presentation inside the venue. Instead, all stakeholders would briefly enter the venue for Chief Mutasa to officially communicate the Minister's position and end the briefing. However, as soon as stakeholders had taken their seats, TMP switched on their projector in an attempt to begin their presentation. PLRAC and MRDC immediately objected to the move, prompting Chief Mutasa to order it to be shut down. Addressing a tense briefing, Chief Mutasa announced the Minister's decision to cancel the meeting. He urged planning authorities to find an amicable solution that promotes investment while protecting residents' right to a secure living environment. The incident reignited tensions between residents and the mining companies, with PLRAC reaffirming its stance that tailings infrastructure must not be developed in their residential zones. The postponement, coupled with the companies' attempt to continue proceedings despite the Minister's directive, further eroded trust and raised concerns about the sincerity of such stakeholder engagements.

PLRAC Meeting with Chief Mutasa

Before the aborted all-stakeholder meeting on the proposed TSF project, PLRAC had scheduled a meeting with Chief Mutasa to formally communicate the community's position. During the meeting held on 5 June 2025, PLRAC highlighted the decades-long investment residents had made in acquiring land from MRDC and developing properties in the valley. The committee underscored the community's fundamental rights to the respect of their property, culture, and dignity, emphasising that mining activities should remain separate from residential zones.

PLRAC further expressed serious concerns regarding the health and environmental risks of establishing a mining dumpsite within a residential area. Particular attention was drawn to the potential toxicity that could endanger residents' health, jeopardise market gardening activities, and degrade the local environment. In response, Chief Mutasa asked whether the community would consider coexisting with TSF in exchange for financial benefits from TMP's tailings rehabilitation proceeds. PLRAC firmly rejected this proposal, stating that community welfare could not be compromised for financial gain. The committee stressed that the risks, particularly to children's health and the long-term potential for respiratory diseases, were far too severe to allow for any coexistence with the toxic tailing dam. Chief Mutasa concluded the meeting by assuring the committee that he would communicate the residents' position to the administrative decision-making process that the Minister of State was conducting.

Community Seek Court Relief Amid Administrative Delays

In July 2025, PLRAC followed up with the Ministry of Mines to inquire when the committee would be heard by the Minister, so that the determination on mining activities in the residential area could be finalised. The Ministry informed the committee that a provincial task force, led by the planning authority, was working through the process.

Without means to defend themselves amid administrative delays, residents, accompanied by CRD, sought legal assistance from Zimbabwe Lawyers for Human Rights (ZLHR) to apply for a court interdict against TMP and PVI. The application sought to halt mining activities within the demarcated residential area. Through the court application, residents also sought an order compelling PVI to rehabilitate the land it had already disturbed. The application highlighted that extensive excavations and land levelling conducted barely 20 metres from residential properties and less than 30 metres from the Mutare River had degraded the area and exposed homes to structural damage and environmental harm.

The application further cited injuries already caused by PVI and TMP, including noise pollution, excessive dust, gas, and smoke emissions in the residential zone. Residents expressed concern over potential exposure to hazardous chemicals, including cyanide, which could pose serious health risks to those living on-site and in the wider community. Applicants emphasised that they were lawful occupiers of the land allocated to them by the planning authority, and have clear rights to an environment that is not harmful to their health or well-being, as guaranteed under Section 73(1) of the Constitution of Zimbabwe. Over 800 residents confirmed their support for the court action, with 20 residents signing affidavits as applicants for the case, which was filed in the High Court of Zimbabwe on 7 August 2025.

Respondents to the case include PVI, MRDC, the Ministry of Mines and Mining Development, and the Provincial Mining Director. On 26 August 2025, PVI, as the first respondent, filed a notice of opposition to the court application. The strength of the applicants' answering affidavit is expected to rely heavily on supporting documentation from MRDC, the land administrator in dispute. MRDC has undertaken to support the applicants and has since received PVI's notice of opposition from ZLHR. Meanwhile, mining developments at the proposed dumpsite remain stalled, and the community continues to closely monitor the situation.

Lessons Learnt

- Sustained accompaniment by CRD empowered PLRAC and the wider community to assert their rights, navigate bureaucratic hurdles, and hold authorities and companies accountable.
- Communities are more effective when supported with legal knowledge, advocacy tools, and organisational capacity.
- Inconsistent enforcement of laws (e.g. EMA's reversal on the Mutare River ban) highlights the risks of regulatory capture and the consequences of weak oversight.
- The case of Betterbrands and Metallon illustrates how companies can exploit legal ambiguity and political shielding to continue unsafe mining operations.
- High Court and Supreme Court rulings can offer protection, but enforcement remains a significant challenge.
- Legal victories must be accompanied by active monitoring and follow-up to prevent backtracking or regulatory reversal.
- Mining activities in residential areas, including tailings storage, pose serious long-term health and safety risks. Proactive environmental monitoring is essential for communities to defend their rights against emerging environmental threats.
- The cost of environmental destruction from riverbed mining far outweighs any short-term economic gains. The continued exploitation of mineral resources by gold cartels, despite prohibitory laws, is driven by a deep sense of impunity and profiteering through evading environmental accountability, taxation, and legal oversight.
- Lack of transparency in ownership, beneficial shareholding, and mining revenue flows continues to fuel corruption, smuggling, community exploitation and revenue loss for Zimbabwe.
- Public disclosure and robust monitoring mechanisms are essential for effective and accountable natural resource governance.

- Effective stakeholder engagement requires genuine consultation and respect for community rights.

Recommendations

Drawing from CRD's accompaniment experiences with affected communities in Penhalonga, where unregulated mining has led to environmental destruction, insecurity, and rights violations, CRD reiterates the following recommendations to the Government of Zimbabwe. These reforms are urgently needed to restore accountability, protect communities, and uphold the rule of law in the natural resource sector.

- Expedite devolution reforms by bringing the Devolution Bill to Parliament, empowering local authorities and traditional leaders to derive direct benefits from natural resource exploitation while protecting community rights.
- Amend the Mines and Minerals Act to enhance local accountability in mining contracts, taxation, and to prevent land conflicts and forced displacements.
- Amend the Gold Trade Act to curb mineral leakages by strengthening regulations on the storage, transportation, and security of precious minerals.
- The Ministry of Mines, Environmental Management Agency (EMA), and Zimbabwe National Water Authority (ZINWA) must ensure consistent enforcement of existing environmental laws against river bed mining, including Statutory Instruments SI 188/2024 and SI 258/2018.
- EMA must undertake regular environmental audits of all mining operations, including artisanal and small-scale activities, with findings publicly disclosed.
- The government must take decisive steps to end political interference that has enabled the unlawful capture of Redwing Mine. It must stop shielding lawlessness and enforce court orders, eviction notices, and environmental regulations to protect workers and the surrounding communities.
- The conflation of state security operations and mineral cartels has led to widespread rights violations and undermined community safety in Penhalonga. CRD recommends urgent measures to hold state security institutions accountable and to redirect their mandate toward defending community rights and preventing mineral leakages, in line with constitutional obligations.