3 Mining Revenue and "The Local"

> En fin de journée, le même gendarme du matin fait passer à Vincent un autre contrôle. Ce gendarme détestable prend délibérément son temps. Le contrôle s'éternise et Vincent, qui bouillonne de rage, doit se contenir.
>
> – Je vous demande de vous arrêter au poste en fin de journée et même demain, si vous travaillez encore, et ainsi de suite.
>
> Ce n'est pas vrai! Comme il regrette de ne pas avoir contourné ce village la première journée! Une fois chez le second père d'Alidou, Alidou lui raconte la mésaventure à la gendarmerie.
>
> – Si ce gendarme continue de m'emmerder, ajoute Vincent enragé, je vais en glisser un mot au président de ma compagnie qui est un excellent ami de Compaoré Blaise. Ce maudit gendarme pourra dire adieu à sa carrière.
>
> Le lendemain, le gendarme d'hier est tout miel, au grand étonnement de Vincent.
>
> – Bonjour. Ça va? Vous pouvez poursuivre votre route. Vous n'êtes plus obligé de vous arrêter. Je vous demande seulement de ralentir à l'avenir afin de pouvoir vous identifier.[1]

In October 2014, a popular uprising overthrew the government of Blaise Compaoré who had ruled the country for almost 30 years. It not only paved the way for a democratic transition and elections to be held in November 2015, "democratization" also became one of the main claims of national civil society actors concerning an overdue reform of the mining code and a rupture with previous paternalistic modes of governance. As discussed in the previous chapter, there were indeed numerous accounts about neopatrimonial behaviour of those setting the rules and norms in national and local mining governance until 2015. While some mining executives since certainly have continued to maintain

1 "At the end of the day, the same policeman from the morning passes another check to Vincent. This awful policeman deliberately takes his time. The check goes on forever and Vincent, full of rage, has to restrain himself.

– I ask you to stop at the station at the end of the day and even tomorrow, if you are still working, and so on.

This is not true! How he regrets not having gone around this village on the first day! Once at Alidou's second father's house, Alidou tells him about the misadventure at the police station.

– If this policeman keeps bothering me, adds Vincent enraged, I'm going to slip a word to the president of my company who is an excellent friend of Compaoré Blaise. This goddamn policeman will have to say goodbye to his career.

The next day, yesterday's policeman is all honey, to Vincent's astonishment.

– Good morning. How are you doing? You can continue on your way. You don't have to stop any more. I'm only asking you to slow down in the future so that I can identify you." (Own Translation. Delisle, *Alidou, l'orpailleur*, pp. 118–120).

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"excellent relationships" to political elites of the country, the political rupture has nevertheless led to important changes in mining governance. The latter is no longer concentrated in the hands of a political elite close to Blaise Compaoré and his family as was the case prior to 2015. As I have discussed in the previous chapter, his regime has been accused of profiting from clientelism in the Burkinabè gold mining sector, notably during the boom years from 2008 onwards. It came thus as no surprise that "the spirit of 2015" led to a profound reform of the mining code in July 2015 as one of the first political actions of the transitional government CNT. The adherence to (trans)national policy regimes such as EITI further promoted and established principles and norms of transparency in mining revenue allocation. For many civil society activists and the CNT, democratizing the mining sector did not only imply the establishing of an "open and accountable management of extractive resources" by and between the national government and multinational corporations.[2] One of the main aims of reform, as shown in the previous chapter, was to make the sector more profitable for populations living in the vicinity of mining projects. This is all the more significant as Burkina Faso has pursued a process of "resource decentralization" since 2006, when the first nation-wide municipal elections took place.[3] In line with the new AU, ECOWAS, and UEMOA prescriptions in mining governance, Burkina Faso's reformed mining code of 2015 thus adhered to new principles and norms of decentralized development in mining areas. The most important provision in that sense – for municipalities and companies alike – was the establishment of a Fund for Local Development (*Fonds Minier de Développement Local*, FMDL). Multinational corporations were now required to contribute 1 per cent of their national turnover (before tax) to the fund of which equal shares are then administered by neighbouring municipalities and other decentralized units of political administration. In April 2019, almost four years after the adoption of the new mining code, several mayors of mining impacted municipalities publicly claimed a complete failure in the implementation of the FMDL from which they had expected to receive important funds. They considered the existent CSR programmes and projects of companies as "insignificant" and expressed their concerns in relation to the various negative impacts large-scale

2 Extractive Industries Transparency Initiative, *Who We Are*.

3 However, some authors are wrong in stating that no municipal elections took place prior to 2006. Municipal elections were already held in 1995 and 2000 but they did not include the rural municipalities. (See Werthmann and Ayeh, *Processes of Enclaving Under the Global Condition*, pp. 11–12; Cf. M. Côte, "What's in a Right? The Liberalisation of Gold Mining and Decentralisation in Burkina Faso", LDPI Working Paper 25 (2013); Côte and Korf, *Making Concessions*).

mining has in their municipalities. "Depuis plus d'une décennie, l'or sort de nos communes nous laissant des problèmes à gérer" (for more than a decade, gold has been leaving our communes, leaving us with problems to manage), stated the mayor of Yalgo, a municipality in northern Burkina Faso.[4]

In this chapter on mining revenue and "the local", I will discuss the different negotiations on the FMDL and reasons for its slow implementation.[5] In doing so, I analyse how the engendered rescaling of political authority and of funds to municipalities became both contested by corporations and reinforced by international donor communities since 2015. These processes, I argue, point to how "the global" as a dimension of scalar relations (re)inscribes the significance of the local state in national mining governance.[6] The process of decentralization instigated by international development and financial organizations from the 1990s onwards added a further layer of authorities, institutions, and interests to the already complex spatialities of extraction.[7] Elected bodies for local government have become part of the political arenas in which conditions for mining are currently negotiated and extractive relations, in turn, shape the relationships between local and central governments.[8] As the previous chapter has shown, regional and local policy bodies, civil society organizations, private entrepreneurs and local populations have increasingly questioned the national government's monopoly in allocating mining rights and deciding about the revenues. While these processes point to new forms of "social thickness" in local mining governance and concession-making,[9] it remains open as to whether local authorities will succeed in appropriating these new funds and in redistributing them in appropriate ways to the populations they govern.

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4 A. Kinda, "Burkina: Des maires exigent le fonds minier de développement local" [Burkina: Mayors demand the Mining Fund for Local Development], *minute.bf*, 12 April 2019; Y. Boudani, "Burkina: polémique autour de la distribution du fonds minier de développement local" [Burkina Faso: Controversy over the distribution of the Mining Fund for Local Development], *Radio France Internationale*, 7 May 2019.

5 Contributions for this fund started in late 2019. Journalists reported that a total of more than XOF 51 billion has already been distributed and paid out to the 351 communes and 13 regions of Burkina Faso in early 2021. Nevertheless, some mining companies still refused to pay their share. (See J. Tiendrebeogo, "Burkina Faso: Débat « pour une appropriation nationale du secteur minier »" [Burkina Faso: Debate 'for national ownership of the mining sector'], *Burkina24*, 28 February 2021).

6 See Mansfield, *Beyond Rescaling*.

7 See Martín, *Reimagining Extractivism*.

8 R. Kesselring, "The Local State in a New Mining Area in Zambia's Nortwestern Province", in: E. S. Macamo, J. Schubert, U. Engel (eds.), *Extractive Industries and Changing State Dynamics in Africa*: *Beyond the Resource Curse*, Abingdon, 2018.

9 Côte and Korf, *Making Concessions*.

To begin with, the contested implementation process of the FMDL seems to be emblematic of an engineering "from above" of sub-national claims to mining governance. The chapter thus points firstly to how, according to mining executives, the inability to carry out the FMDL implementation since the 2015 reform was due to municipal inefficiency. Yet this paradoxically happened against the backdrop of international donor policies that increasingly aimed to promote local resource governance and mining revenue allocation. These policies focused on helping communities set priorities for how to use mining revenues, as well as to develop the capacity to manage and allocate the revenue in a transparent and democratic way. "Resource decentralization" thus not only became a policy priority of the national government of Burkina Faso but also one of Canadian public-private aid partnerships (PPPs). Their strong presence in the Burkinabè mining sector points to specific economic and political relationships between Canada, as a home country of industrial mining, and Burkina Faso, as its host legislation. It will be analyzed how discussions on the reputation of Canadian mining abroad are connected to NGO projects in the mining regions of western Burkina Faso and how discussions on legal requirements and voluntary engagements of multinational mining companies shape the mining sectors of both countries.

While scholarly attention to date has mainly focused on mobilization against resource extraction "from below" and their national and transnational entanglements,[10] this chapter points to the parallel occurrence of reactions "from above". Understanding "political (re)actions from above" as the management of reactions from "below", such as the use of "counter urgency strategies" by corporate and state actors,[11] enables us to look beyond "resistance" as an à priori "good thing" and a mere subaltern phenomenon and strategy. It further sheds light on "the global" as a scalar dimension of competing claims and complex practices.[12] However, it is argued here that a clear conceptual differentiation between "the below" and "the above" is not always possible when looking at the complex spatialities of ethical mining capitalism. Rather, it discusses how "the below" and

10 See, for example, Ballard and Banks, *Resource Wars*; B. Engels, "Not All Glitter Is Gold: Mining Conflicts in Burkina Faso", in: B. Engels, K. Dietz (eds.), *Contested Extractivism, Society and the State*: *Struggles over Mining and Land*, London, 2016; Niederberger and Haller, *PART I.*

11 A. Brock and A. Dunlap, "Normalising Corporate Counterinsurgency: Engineering Consent, Managing Resistance and Greening Destruction Around the Hambach Coal Mine and Beyond", *Political Geography* 62 (2018).

12 Mansfield, *Beyond Rescaling*; B. Mansfield, "Spatializing Globalization: A 'Geography of Quality' in the Seafood Industry", *Economic Geography* 79 (2003) 1, pp. 1–16; Massey, *For Space*; Massey, *Geographies of Responsibility*.

"the above" mutually shape each other in terms of power relations.[13] Looking at powerful discourses and concepts of the global mining sector such as corporate social responsibility (CSR) and "resource decentralization" as multi-scalar projects and enactments,[14] allows us to analyse how they (re)shape the relationships between the central and the local state, as how they eventually (re)inscribe the cooperation's areas of responsibility.

This becomes particularly obvious through an analysis of the NGO sector in Canada and Burkina Faso, where "the global", "the national", and the "the local" become constantly entangled and mutually shape one another.[15] Specific Canadian INGO projects promoting resource decentralization and community development in western Burkina Faso must thus be seen as a result of debates on the blurring of the distinction between voluntary and legal spheres of corporate responsibility in Burkina Faso and Canada. Beyond philanthropic claims about a more just distribution of the national mineral wealth and of mining rents, these agendas also serve corporations to gain and to maintain their "social license to operate". The Canadian mining industry and the Burkinabè central government alike have an interest in preventing opposition to specific extractive projects from emerging in the first place, and thus to maintain existing extractive (legal) orders. Far from representing mere technical questions of who is responsible for what, they have complex and contradictory effects on local and national power relations, thereby eventually shaping entitlements to authority in mining governance.[16] This will be illustrated by the ongoing bargaining between the municipal and the provincial authorities in the mining town of Houndé. Drawing on the example of "resource decentralization" in Burkina Faso, the chapter thus aims to unpack "the complex and embedded spatiality of social and political practices" in the extractive sector.[17]

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13 S. Geenen and J. Verweijen, "Explaining Fragmented and Fluid Mobilization in Gold Mining Concessions in Eastern Democratic Republic of the Congo", *The Extractive Industries and Society* 4 (2017) 4.

14 Dolan and Rajak, *Introduction*.

15 I therefore refer to the "above" and the "below" as "categories of practice" deriving from and shaping themselves popular discourse on industrial mining. (See Brubaker, *Migration, Membership, and the Modern Nation-State*).

16 Dietz, *Politics of Scale and Struggles over Mining in Colombia*, p. 131; H. Haarstad and A. Fløysand, "Globalization and the Power of Rescaled Narratives: A Case of Opposition to Mining in Tambogrande, Peru", *Political Geography* 26 (2007) 3.

17 Martín, *Reimagining Extractivism*, p. 29.

The Contested Implementation Process of the Fund for Local Development

First governmental attempts to decentralize mining revenue allocation in Burkina Faso occurred ten years before the introduction of the FMDL. The mining code of 2003 stipulated in its article 82 hat 20 per cent of the annual surface tax (*taxe superficiaire*) to be paid by all industrial exploration and exploitation license holders have to be transferred "à la collectivité où se trouve la superficie" (to the local authority where the surface area is located).[18] Since then, the surface tax has become the second proportional duty of license holders in Burkina Faso besides royalties (which companies have to pay according to their production and the gold price at the world market). The amount of the annual payments is based on the occupied land area and the duration and nature (exploration or exploitation) of the title.[19] Some scholars, municipal actors and corporate agents, however, claimed that the allocated money never actually supported the communal budgets.[20] Government officials, the national EITI committee and civil society activists otherwise pointed to the responsibility of municipal accountants in not officially declaring specific municipal budget lines derived from mining revenues. Since the surface tax is first transferred by mining companies to the national treasury and then to mine-affected municipalities, others blamed the central state for not explicitly declaring that "the taxes were derived from gold".

Whatever the reasons for the non-accessibility of the local mining revenues, corporate managers feared that the implementation of the FMDL would engender a similarly negative experience. The national lobby organization *Chambre des Mines* (CdM) therefore publicly expressed concerns about the (mis)management of the fund's financial resources by local government bodies.[21] Statements of mining executives revealed that they were especially doubtful about the municipalities' capacities to effectively and transparently manage and govern

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18 Government of Burkina Faso, "Code minier: Loi n°031-2003/AN du 8 mai 2003" [Mining Code: Law n°031-2003/AN of 8 May 2003] (2003), p. 14; Government of Burkina Faso, "Décret n°2005-048/PRES/PM/MCE/MFB portant fixation des taxes et redevances minières" [Decree n°2005-048/PRES/PM/MCE/MFB on the setting of mining taxes and royalties] (2005).

19 Government of Burkina Faso, "Décret n° 2017–023/PRES/PM/MEMC/MINEFID du 23 janvier 2017, portant fixation des taxes et rédevances minières" [Decree No. 2017–023/PRES/PM/MEMC/MINEFID of 23 January 2017, setting mining taxes and royalties] (2017); Dorin, *Burkina Faso*.

20 See Côte, *What's in a Right*, p. 10.

21 Chambre des Mines du Burkina, *Mémorandum sur les préoccupations du secteur minier*; Rédaction B24, "Fonds minier de développement local: L'avis de la Chambre des mines" [Mining Fund for Local Development: The opinion of the Chamber of Mines], *Burkina24*, 30 March 2017.

these new forms of mining revenue allocation, since local governments "don't know how to use the money". In May 2017, an NGO coordinator in Ouagadougou pointed to the huge sums of money the implementation of the FMDL will engender locally: while some municipalities usually disposed of an annual average budget of XOF 50 million, they will have to manage XOF 700 million. Mayors and municipal councillors would neither have the adequate skills nor experience in planning, management and budgeting to deal with this amount of money in a way that would make it accessible to local populations. In some rural areas, as a national fiscal expert stated, they would even lack basic educational skills in simple mathematics. To leave the management and redistribution of millions of francs CFA to municipalities was therefore generally perceived as a risky endeavour by the corporate world and some state officials. During a training for mining executives on the reformed mining code 2017 in Ouagadougou, the fiscal expert stated, "[. . .] we cannot admit that mining companies leave the world of returns so that people can enrich themselves and drive 4x4s'. At the central [state] level, we [have already] enabled people to drive 4x4's, we will therefore not allow people at the local level to drive 4x4s". In Burkina Faso, the term "4x4" [*quatre-quatre*] is used to refer to all-wheel drive vehicles, usually reserved for those who have access to a stable income or large sums of money.

Besides the juridical basis of the FMDL (its status as tax or contribution and the date of law implementation), mining companies notably contested the amount of money they had to contribute to the FMDL. They therefore actively lobbied for a reduction of the FMDL contribution to 0.5 per cent instead of the provided 1 per cent of turnover after tax. The pending 0.5 per cent should be administered, according to mining executives, by the mining companies themselves within their existing corporate social responsibility (CSR) frameworks.[22] While pointing to "inefficiency" and a lack of "good governance" in the municipalities, mining professionals insisted that they were entitled to have a certain monopoly on the control of mining resource governance. However, their attempts to subsume resource decentralization under their voluntary commitments to community development also point to the blurring of lines between legal requirements of the national mining code and the voluntary CSR engagements of corporations.

22 Chambre des Mines du Burkina, *Mémorandum sur les préoccupations du secteur minier*, p. 4.

Legal versus Voluntary Corporate Engagements

The example of the (contested) implementation process of the FMDL also reflects more general debates about a re-drawing of boundaries between corporate and state-centred regulation inherent to CSR as a "semiformal, quasi-legal regulatory regime".[23] While the introduction of the FMDL would hold corporations legally accountable in relation to their fiscal contributions at a local level, mining executives pointed to their numerous voluntary forms of engagements that they saw endangered due to the introduction of the FMDL. During a workshop on the reformed mining legislation in March 2017, a Roxgold mining executive emphasized the danger of "weakening" Burkina Faso's economy, but notably the (potentially) "disastrous effects" for the companies' voluntary engagements due to the "1% law":

> I speak in the name of all companies of the mining sector, everyone undertakes CSR [programmes]. Some have foundations, others do it on their own. [. . .] The budgets are approved by the shareholders. Today, if you tell them 'we will conduct CSR [programmes]', the first thing that happens is [they say] 'but beware Mister [name], there is 1 per cent of taxes that turns up, but there is not enough money to undertake CSR'. Therefore, the first thing that happens with that fund is that the mining companies [will] cut their CSR [budgets].

Since the adoption of the new mining code in July 2015, individual mining companies and the Chamber of Mines thus lobbied for a reduction of their contribution from 1 to 0.5 per cent. They later accepted the 1 per cent number "as a sign of good faith", but only on their own terms.[24] The same mine manager that had raised concerns in relation to the potential "disastrous effects" of the FMDL in early 2017, was still "convinced" his company did not have to pay two months later in May 2017. In August 2017, he however admitted: "As we're good [corporate] citizens, we accept to pay the 1 per cent. [. . .] Yet we want to know how the money is used". In their memorandum addressed to the Prime Minister in April 2019, the CdM president affirmed in a similar way that the mining companies would accept to pay 1 per cent of their monthly turnover to the fund. However, they demanded that 0.5 per cent should be made available to them in order to realize their own CSR programmes.[25]

While mining companies gradually began to participate in governmental attempts to decentralize mineral revenue management, they refused to retreat

23 Barkan, *Corporate Sovereignty*, p. 111.
24 Chambre des Mines du Burkina, *Mémorandum sur les préoccupations du secteur minier*, p. 4.
25 Ibid., pp. 3–4.

completely from the corresponding decision-making processes of money allocation. In doing so, they rejected a rescaling of important governance issues and competencies to be decided by local authorities. Their motivation (which was only partly publicly expressed) can be described as threefold: first, they asserted the already-mentioned financial issues by emphasizing the responsibility they have for their shareholders and investors. Second, they expressed concerns about the capacities, enduring corruption and mismanagement of local government in the municipalities that would impede the re-direction of mining revenue allocation in order to fulfil the needs of local populations. Third, and maybe most importantly, they saw their "social license to operate" endangered. Since they perceived themselves as the main target of all community demands and dissent, CSR programmes and projects were an integral tool of legitimizing their presence. As their main contribution to local development, they were an essential basis to maintain undisturbed operations and to prevent future conflicts from arising. If the FMDL money is directly transferred to the local state and managed by municipal actors, however, this would make their financial, social and infrastructural contributions in mining communities "invisible". A concern that was also raised by the national mining administration, as one of its agents emphasized in March 2017:

> There have been numerous debates [about the distribution of the FMDL]. Because the problem was to know how to assure the essential part of [financial] contributions goes to the mining commune. Because if we say that the fund does not replace CSR, the company which is in crisis with the local populations must, however, [be able to] manage a number of concerns.

CSR agents that are usually the most prominent interfaces in the articulation and management of company and community interests (see Chapter 4), had rather ambivalent feelings about the potential of the FMDL in stimulating community development outcomes. On the one hand, they welcomed the fund in its attempt to hold municipalities and regions accountable for mining investments. In contrast to his managerial colleagues, one CSR agent in early 2018 even stated that the effective implementation of the FMDL would allow them to "maintain the social license [to operate]". Yet other CSR personal remained sceptical as to whether these new modes of decentralized mining governance would eventually break with the current practices of "never ending demands" and expectations by local populations. They also pointed to "bad experiences" corporations actors had with similar funds, notably in Burkina Faso's neighbour country Ivory Coast. By such references, they expressed their fear that a "dysfunctionality" of the fund could eventually endanger the "social peace" they constantly promoted through their CSR projects in mining communities. Therefore, CSR agents usually supported corporate executives in their aim of maintaining 0.5 per cent of the 1 per cent FMDL total budget for their existing CSR frameworks.

Government officials and civil society activists, on the other hand, generally asserted that the introduction of the FMDL was by no means intended to replace existent CSR regimes. It has "nothing to do with it", as one of Ouagadougou's most important civil society actors in mining issues stated in February 2018. CSR was perceived as a set of voluntary engagements and contributions that would go beyond the legal requirements companies had to fulfil. They emphasized that the intention of the FMDL advocates was to nurture municipal and regional budgets (in line with regional and local development plans), and therefore to "responsibilize" the local state. Notably, civil society activists rejected threats expressed by corporate executives to cut their CSR budgets, or even to relocate their operations completely to other "more investor friendly" legal mining contexts. For them, multinational mining companies in Burkina Faso should stop engaging in corporate publicity campaigns in the name of "local development". The latter being legal and moral obligations the companies have to meet, such as the provision of appropriate compensation due to the forced resettlement of populations.

At a local level, it were above all branches of nationally established NGOs that lobbied for the immediate implementation of the FMDL and the disbursement of funds to the municipalities. As part of the coalition Famu,[26] human rights organizations such as ODJ (*Organisation Démocratique de Jeunesse*) and MBDHP took a critical stance concerning corporate attempts to blur the boundaries between legal requirements (such as the FMDL) and voluntary engagements (such as CSR programmes). For a civil society leader in Houndé, "CSR is not an obligation. [And] since it's not an obligation, it's not a responsibility." Central government representatives and corporate agents alike, he stated in early 2017, would perceive the people in the provinces as "idiots" who are not able to allocate and manage resources in a transparent and accountable way. Due to the inability to implement the FMDL since 2015, and in order to accelerate pressure on behalf of the national government and the Ministry of Mines and Quarries, Houndé-based NGO leaders engaged in a social media campaign against the "deductibility" of the FMDL for the benefit of CSR budgets. Famu organized, on 30 August 2019, a protest march to claim the payment of the totality of FMDL funds to the municipality of Houndé since the mine officially en-

26 In Dyula language, the term Famu means, "we have understood" (*nous avons compris*).

tered its commercial production phase in November 2017 and since then no payments have been made.[27]

Yet it was not national and local actors alone that actively promoted "resource decentralization" and "community development" as new principles of reformed mining governance. Since 2016, several donor programmes accompanied the reform implementation process and notably the introduction and implementation of the FMDL. Among them figured the *Citoyenneté* (Citizenship) programme of Oxfam Burkina Faso and projects sponsored by the United Nations Development Programme (UNDP).[28] In the two studied mining regions, however, the strengthening of local resource governance was notably promoted by the Canadian development aid project West Africa Governance & Economic Sustainability in Extractive Areas (WAGES). Financed by Global Affairs Canada and jointly implemented by two Canadian NGOs for a project period of seven years (2016–2022), the project targets seven municipalities in Burkina Faso, among them Houndé and Bagassi. Through the strengthening of local governance and capacity building, the "project aims to break the vicious circle in which local communities, especially women and youth, are excluded from the benefits of mining investments".[29] The next subchapter will thus discuss how, besides Canadian-based companies, the Canadian government itself has an interest in engineering resource decentralization and community development in Burkina Faso's mining municipalities.

Canada's Role in Democratizing Burkina Faso's Extractive Sector

At the African Mining Indaba in February 2018, which is (according to its own reports) the world's largest mining investment conference and the largest mining event in Africa,[30] the potential of foreign investment in the continents mining

27 A. Sanon, "Meeting de la coalition 'Famu' à Houndé: « on veut profiter de l'argent de notre or »" [Meeting of the 'Famu' coalition in Houndé: 'we want to benefit from the money of our gold'], *Ouest-Info.net*, 1 September 2019.
28 See, for example, Oxfam, "Burkina Faso", https://www.oxfam.org/fr/pays/burkina-faso (accessed 8 October 2019).
29 World University Service of Canada, "WAGES: West Africa Governance & Economic Sustainability in Extractive Areas (WAGES)", https://resources.wusc.ca/project/wages/ (accessed 13 January 2021).
30 Mining Indaba, "About", https://www.miningindaba.com/Page/about (accessed 8 October 2019).

assets featured as one of the most prominent topics. The panel "Canada-Africa Session: Africa and Canada – a Win-Win partnership" regrouped government and industry officials from Canada, Burkina Faso and Guinea. They discussed the particularities of Canada's approach in partnering with African governments, civil society, the private sector, and local stakeholders to strengthen mining sector sustainable development practices. Paula Caldwell, Director General of the Pan Africa Bureau of Global Affairs Canada, opened her speech with the following words:

> I would like to start by saying that Canada, we're very proud of our African friends. Our mining companies play a very important role in our relationship, in reinforcing it. I will begin by talking about Canada's engagement, its mining presence and its commercial relationships. And then I would like to discuss what makes Canada's approach so unique beyond our technical expertise. And it's all about community collaboration and of course working hand in hand with governments [. . .].

The representative of the Canadian State's Department of Foreign Affairs, Trade and Development then went on to explain the commercial relationships of Canada with the African continent in more detail. In 2018, they featured 130 mining and exploration companies operating in 29 countries and owning mining assets of more than 29 billion Canadian Dollars (CAD). Her particular aim was further to shed light on the "win-win partnership" between Canada and (francophone) Africa, a statement upon which all other panellists agreed vehemently. The involvement of Canada's mining industry in African countries was repeatedly presented as a "role model", mainly drawing on Canada's strong engagement in corporate social responsibility (CSR) efforts and policies. Caldwell thus proudly stated that the current Minister of International Trade François-Philippe Champagne announced on 17 January 2018 the establishment of a government and industry independent Ombudsperson and a Multistakeholder Advisory Body on Responsible Business Conduct. The Ombudsperson's task would be to oversee Canadian mining, oil, and gas companies' activities abroad. It is required to have an advisory and robust investigative mandate on environmental incidents and accusations of human rights abuses.[31] The Canadian Ombudsperson for Responsible Enterprise (CORE) thus has the mandate to review and publicly report on alleged abuses arising from Canadian companies' operations in the Global South, make and monitor recommendations, and eventually advise trade measures for companies that do not cooperate in good faith. This has added another

31 N. Mordant, "Canada to Create Overseas Mining Watchdog Early in 2018", *Reuters*, 13 December 2017.

voluntary dispute resolution mechanisms, complementing Canada's Contact Point for the OECD Guidelines for Multinational Enterprises (NCP).[32] On 8 April 2019, the Government of Canada appointed Sheri Meyerhoffer as the first Ombudsperson. However, what was presented by the liberal Trudeau government as "the first of its kind in the world",[33] has been criticized by Canadian environmental and human rights groups as "a powerless advisory post, little different from what has already existed for years".[34]

Africa and Latin America figure today as the top continental destinations for Canadian-based mining corporations and Burkina Faso has in recent years become one of the most prominent one's.[35] Taking advantage of the recent mining boom that made gold the first export product, Canada proudly claims to be the largest foreign investor in Burkina Faso since 2008.[36] The activities of Canadian exploration and extraction companies in the country are further promoted by a bilateral foreign investment promotion and protection agreements (FIPA) that came into force in October 2017.[37] The relatively strong political and economic relationships between Canada and Burkina Faso are all the more important since the sudden interest from multinational mining corporations in investing in Burkina Faso started only a decade ago in the aftermath of the global credit crunch in 2008. Together with the mineral abundance in the country and the investor-friendly mining code of 2003, the value of gold as a stable investment item attracted many Canadian-based companies to (re)invest in Burkina Faso, many of them already holding exploration permits. According to Paula Caldwell, of the countries five biggest mining projects, three were operated and 90 per cent owned by Canadian companies in 2018.

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32 Government of Canada, "Canada's Ombudsperson for Responsible Enterprise", https://www.international.gc.ca/trade-agreements-accords-commerciaux/topics-domaines/other-autre/csr-rse-ombudsperson.aspx?lang=eng (accessed 8 October 2019).

33 Ibid.

34 Canadian Ombudsperson for Responsible Enterprise, "The Canadian Government Has Reneged on Its Commitment to Create an Independent Corporate Human Rights Watchdog. We Can't Accept This.", http://cnca-rcrce.ca/environment-human-rights-justice/ombudsperson-human-rights-canadian-responsible-enterprise/ (accessed 8 October 2019).

35 B. Marchall, "Facts & Figures 2017: Facts and Figures of the Canadian Mining Industry" (February 2019), p. 70.

36 Government of Canada, "Canada – Burkina Faso Relations", https://www.canadainternational.gc.ca/burkinafaso/bilateral_relations_bilaterales/Canada-Burkina_Faso.aspx?lang=eng (accessed 14 October 2019).

37 Government of Canada, "Trade and Investment Agreements", https://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/index.aspx?lang=eng&country_pays=Burkina%20Faso&menu_id=144 (accessed 14 October 2019).

However, the relatively strong presence of Canadian stakeholders in Burkina Faso goes beyond the corporate world. Besides mining corporations, Canadian-based NGOs and aid organizations are very active in the country. This reflects more general attempts emerging in recent years to promote resource decentralization and community development by Canadian donors.

The Canada Brand

The creation of the new CORE office in 2019 was mainly due to the vital struggle of Canadian NGOs to hold Canadian multinationals operating abroad more responsible and accountable beyond multilateral guidelines for multinational enterprises and their own set standards or voluntary engagements, also known as corporate social responsibility and (CSR) and corporate citizenship (CC). However, the relatively "weak" mandate of CORE eventually indicates the contested nature of necessary policies to ensure corporate responsibility and accountability. "[. . .] well-meaning but tokenistic acts" of CSR and CC, mainly achieved through interactions with stakeholders that go beyond minimal legal requirements and obligations in order to address societal needs continue to figure as an important tradition of "doing good" in the Canadian mining industry.[38] The concept of corporate citizenship (CC) shifted from referring to a firm as a citizen of a state where it operates to the rights and responsibilities of the different "citizens" comprising the corporate polity.[39] Put more simply, "A corporation that applies pollution control measures in its home community but neglects them in other communities where it is a mere guest is simply not a good corporate citizen [. . .]."[40] While Canada has itself a profound tradition of mineral exploration and production, many Canadian-based corporations are involved in operations all across the globe. One famous example is Barrick Gold which in 2019 was one of the largest gold company's in the world, but only had one single operating project in Canada itself.[41] Thus, generating relatively few tax revenues for the Canadian state through corporate activities, famous philanthropists of the Canadian mining industry such as Barrick Gold's founder Peter Munk have been

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38 The McLeod Group, "The Extractive Sector and Development" (2016), p. 1; Sison, *From CSR to Corporate Citizenship*, p. 237.

39 Ibid., p. 235; D. Matten and A. Crane, "Corporate Citizenship: Toward an Extended Theoretical Conceptualization", *The Academy of Management Review* 30 (2005) 1, pp. 166–179.

40 Sison, *From CSR to Corporate Citizenship*, p. 244.

41 Barrick Gold Corporation, "Operations", https://www.barrick.com/English/operations/default.aspx (accessed 9 October 2019).

financing business firms, academic institutions, and the Toronto-based hospital "Peter Munk Cardiac Centre" for several decades.[42]

Yet charity (or CC) at home is not always equivalent to charity abroad and Canada's evolvement as a "mining superpower" has to be traced back to its role as a favourable host of finance capital for mining.[43] Scholars and critical NGOs, such as the Canadian Network on Corporate Accountability (CNCA) repeatedly accused Canadian companies and its subsidiaries of involvements in human rights abuses and environmental destruction.[44] Albeit not representing a former colonial power on the African continent, Montreal-based author and researcher Alain Deneault compared Canadian commercial interests in African countries to what François-Xavier Verschave has labelled *Françafrique* concerning neo-colonial entanglements between metropolitan France and its (former) colonies in West Africa.[45] According to these criticisms, the expansion of the Canadian mining industry went hand in hand with the implementation of an investor-friendly legislation and environment, making Canada a "legal haven of choice for the world's mining industries".[46] Authors stated that Canada's financial capital Toronto and the stock exchange represent Canada's "cornerstone[s]" functioning as a juridical and fiscal paradise for mining companies.[47] Also described as "the global hub for mining finance",[48] almost 60 per cent of all

42 See N. Block, "Toronto's Buried History: The Dark Story of How Mining Built a City", *The Guardian*, 3 March 2017.

43 The McLeod Group, *The Extractive Sector and Development*, p. 1.

44 The Canadian Network on Corporate Accountability (CNCA) represents a prominent and influential umbrella organization of Canadian NGOs critically engaging with what an activist called in November 2017 "the destructive effects of Canada's extractive sector in the Global South". Among their 30 members figures the Ottawa-based NGO Mining Watch Canada and the Toronto-based activist group Mining Injustice Solidarity Network.

45 A. Deneault, *Noir Canada*: *Pillage, coruption et criminalité en Afrique* [Black Canada: Looting, corruption and crime in Africa], Montréal, QC: Éditions Écosociété, 2008, p. 160; F.-X. Verschave, *La Françafrique*: *Le plus long scandale de la République* [Françafrique: The Republic's longest scandal], Paris: Stock, 2009.

46 A. Deneault, W. Sacher, and C. Browne, *Imperial Canada Inc*: *Legal Haven of Choice for the World's Mining Industries*, Vancouver: Talonbooks, 2012; P. Butler, *Colonial Extractions*: *Race and Canadian Mining in Contemporary Africa*, Toronto: University of Toronto Press, 2015; Deneault, *Noir Canada*; M. L. Dougherty, "The Global Gold Mining Industry: Materiality, Rent-Seeking, Junior Firms and Canadian Corporate Citizenship", *Competition & Change* 17 (2013) 4, pp. 339–354.

47 Deneault, *Noir Canada*, p. 160.

48 Marchall, *Facts & Figures 2017*, p. 6.

publicly traded mining companies in the world were listed on the Toronto Stock Exchange (TSX) and the TSX-Venture Exchange (TSXV) in 2018.[49] Interviewees in Ottawa and Toronto mainly pointed to Canada's role in creating favourable investment environments. The latter mainly comprises of government subsidized financing and tax inducements for (junior) companies, the relatively "lenient" corporate tax requirements of the TSX, and other political involvements.[50] In late 2017, one anti-mining activist stated that Canada's deep entanglements with the global mining industry could best be compared to what "Panama or Liberia [is] for shipping".

Consequently, one could not consider all listed companies at the TSX as "Canadian" in the pure sense of the term. According to a Canadian NGO leader, the definition of whether a multinational company is Canadian would remain

> [. . .] a little bit flexible, just because there is a fair bid of flux and companies can be legally Canadian without having a head office or any operations in Canada. So, they're based in Nevada, or Australia, but they're legally Canadian and therefore, you know, they're taking advantage of Canadian tax law, Canadian stock securities law, Canadian political support again, and even financing. So, we [the NGO world] consider them Canadian.

An executive of the Mining Association of Canada (MAC), which proclaims itself the "national voice of the Canadian mining industry" since 1935,[51] referred to several criteria for considering a multinational company "Canadian". Among them figure variables ranging from a TSX-listing, the location of head offices and of incorporation, whether the company has operations in Canada or not, or even the nationality of its executive management and board of directors. However, he admitted that even "the government struggles with it too". To his surprise, the Canadian government considered until March 2016 Endeavour Mining as Canadian due to the presence of one of its corporate offices in Vancouver. It brought an Endeavour case into the National Contact Point (NCP) process, which promotes awareness on the Organization for Economic Co-operation and Development's (OECD) Guidelines for Multinational Enterprises to which Canada adheres. The latter represent a voluntary, non-judicial grievance mechanism that addresses public concerns about the social, economic, and environmental impacts of large-scale businesses activities. Back in 2016, Endeavour Mining was accused of alleged human rights abuses during one of its operations in Mali. Canada's National Contact Point's final statement on the Mali case actually

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49 Toronto Stock Exchange, "Mining", https://www.tsx.com/listings/listing-with-us/sector-and-product-profiles/mining (accessed 13 January 2018).
50 See Dougherty, *The Global Gold Mining Industry*.
51 The Mining Association of Canada, "Home", https://mining.ca/ (accessed 14 October 2019).

revealed and confirmed the complex make-up of the company operating across multiple jurisdictions of home and host countries, as of voluntary (trans)national guidelines.

> At the time of receipt of the RfR [Request for Review] and until March 2016, Endeavour Mining Corporation maintained a corporate office in Vancouver, Canada. The current corporate office is located in London, UK. Endeavour Mining Corporation’s Malian subsidiary, SEMICO SA holds the mining permit to the Tabakoto mine in Mali. Given that Endeavour Mining Corporation had a corporate office in Canada at the receipt of the request, and that Mali is not an adherent to the OECD Guidelines and as a result does not have an NCP, the Canadian NCP considered that it had a mandate to receive this specific instance.[52]

Since then, Endeavour Mining has relocated its corporate functions from its Vancouver, Paris, and Monaco offices to a new corporate office in London in 2016. In 2019, the company’s place of incorporation was on the Cayman Islands. Asked about considerations of the executive management about the nationality of the company, an executive employee in Ouagadougou admitted in 2018 that “nobody knows what the nationality of Endeavour Mining actually is”. While several interviewees in Burkina Faso and Germany perceived the company as “French” – its executive management mainly comprised several French nationals with close ties to the AREVA group, exploiting Niger’s uranium resources – most sector professionals and government officials in Burkina Faso continued to classify Endeavour Mining as a Canadian company.

In recent years, the Canadian government itself increasingly recognized that “corporate citizenship” matters. While Canadian CC, in the past, has facilitated firms the “circumvention of ethical standards of accountability and transparency”,[53] it has therefore in recent years engaged in a number of political initiatives to improve the image of its mining industry. Besides the aforementioned establishment of the Ombudsperson office, the government aimed to reinforce its leadership role in sustainable mining at home and abroad through “building a Canada brand for mining”. In early 2019, it finally launched the Canadian Minerals and Metals Plan at the Prospectors & Developers Association of Canada’s (PDAC) annual meeting in Toronto that introduced that objective, as stated by a government official:

> It’s a vision of a socially, economically, environmentally responsible and prosperous mining industry. And one that promotes Canadian roots and Canadian values. The mining

52 Government of Canada, “Canada’s National Contact Point’s Final Statement – Endeavour Mining Corporation and a Labour Union”, *Global Affairs Canada*, 24 October 2017.

53 Dougherty, *The Global Gold Mining Industry*, p. 350.

> industry is transforming. We can see this around us. And we need to improve our Canadian competitive advantage by demonstrating a global leadership in helping improve mining practices and to adapt to issues, such as climate change, participation and innovation, to name only a few. [. . .] we believe that we can make Canada the leading nation of responsible mining.

Yet the ways through which Canada should achieve the status of a "leading nation of responsible mining" remained an issue of debate in Canada itself, as in the host countries of Canadian mining operations. Referring to popular tropes of corporate citizenship, CSR, and sustainability does not necessarily imply the introduction of legally binding requirements and obligations for multinational corporations. Intensifying the blurring of lines between public and private social spheres, in which corporations increasingly take on responsibility for protecting citizenship rights in contrast to nation-states, continued to be discussed in Canada and beyond. This becomes particularly evident when looking at the debates around Canadian public-private aid partnerships (PPPs) targeting community development in mining regions of the Global South. The latter figured at once as a destination for Canadian private investment and one for public aid programmes to promote "sustainable mining".

Governmental Subsidies for Private CSR?

Another prominent topic of the aforementioned Indaba panel on Canada-Africa relations in Cape Town was the recurrent emphasis on multi-stakeholder partnerships in African mining governance. These "win-win partnerships" featured international, national, and subnational levels of governance and were presented as particularly successful in stimulating company-state-community collaborations. Against the backdrop of emerging criticisms on CSR as "unsustainable" and "uncoordinated" charitable projects, the new millennium saw a mushrooming of these multi-stakeholder projects. Among them figured EITI and the UN Global Compact, both launched in 2002.[54] They usually evolved at and targeted various geographical scales, namely "the global", "the national", and "the local". What Jana Hönke has described as the "air conditioned modes" of "disciplining dissent" in global mining governance,[55] has therefore been supplemented by international NGOs actively settling in mining areas. While some INGOs traditionally held

54 Corrigan, *Breaking the Resource Curse*; Matten and Crane, *Corporate Citizenship*, p. 171.
55 J. Hönke, "Transnational Clientelism, Global (Resource) Governance, and the Disciplining of Dissent", *International Political Sociology* 12 (2018) 2, pp. 109–124.

their activities apart from and in opposition to multinational corporations, other cases particularly point to "(re)actions from above" for their (implicit or explicit) aim in achieving social consent or promoting the social license to operate.[56] This phenomenon's spatial manifestation were emerging "node[s] of INGOs, donor agencies, PMCs [Private Military Companies] and consultancies" in some mining areas.[57] The "air conditioned" techniques at a global level were therefore described as "enmeshed with other indirect techniques of containing dissent to global governance ('the veranda')" notably in the vicinity of large-scale mining projects.[58] This has particularly been the case for the "reciprocal formation of [the] corporate social governance projects and development assistance" through the lens of public-private donor projects in mining and oil extraction regions of the Global South.[59]

The Canadian case seems to be emblematic insofar as the rather strong link between commercial interests and aid policy has been a recurrent theme of development policies and its criticisms for several decades. Stephen Brown argued that a "re-commercialization" of foreign aid mainly took place under the conservative Harper government (2006–2015).[60] Canadian foreign aid has been described as traditionally linked to Canadian commercial interests and (notably) the extractive sector through the choice of recipient countries, or the type of assistance provided. Many "countries of focus" of the Canadian International Development Agency (CIDA), later re-named Global Affairs Canada, were rich in natural resources. However, under the Harper government, aid became a "mere tool of foreign policy", enhancing the role of the private sector in development aid significantly.[61] One important initiative emerging out of this policy trend was the institutional and financial support for public-private partnerships (PPPs) in the extractive sector. In order to respond to widespread public criticisms of Canadian mining companies' human rights and environmental violations, and failures to generate benefits for local populations in the mining areas, the so-called

56 See Brock and Dunlap, *Normalising Corporate Counterinsurgency*.
57 Hönke, *Transnational Pockets of Territoriality*, p. 17.
58 Hönke, *Transnational Clientelism, Global (Resource) Governance, and the Disciplining of Dissent*, p. 112.
59 A. Zalik, "The Niger Delta: 'Petro Violence' and 'Partnership Development'", *Review of African Political Economy* 101 (2004) 31, pp. 401–424, at 401.
60 S. Brown, "The Instrumentalization of Foreign Aid Under the Harper Government", *Studies in Political Economy* 97 (2016) 1, pp. 18–36, at 22.
61 G. C. Goyette, "Charity Begins at Home: The Extractive Sector as an Illustration of the Harper Governement's De Facto Aid Policy", in: S. Brown, M. den Heyer, and D. R. Black (eds.), *Rethinking Canadian Aid*, 2nd edn, Ottawa: University of Ottawa Press, 2016, pp. 255–272, at 256.

Devonshire Initiative (DI) was set up in Toronto in 2009.[62] Industry representatives preferred these voluntary forums and exchange forums in contrast to more binding legal measures upon which many critical NGOs and politicians attempted to draw. In 2010, the vote of the Bill C-300 failed, which sought to establish prescriptive CSR guidelines that would be binding on Canadian mining companies operating in developing countries. Sanctions on Canadian companies for non-adherence included the withdrawal of financing from export Development Corporation and divestment by the Canadian Pension Plan Investment Board.[63] Some critical NGO leaders stated in interviews that they perceived the Devonshire Initiative as a more light and "opaque" response to the more critical National Roundtables on CSR that took place in the early 2000s "to counter" the Bill C-300 attempts. Moreover, its implementation corresponded to a general "shift" in government policy "towards [. . .] partnerships with the private sector".[64]

From the beginning, the DI therefore included Canadian mining corporations operating overseas, government and multilateral institutions and major international development NGOs, such as Care, World Vision or Plan International. One of the first ambitions of the DI was to build relationships, trust and partnerships between the private sector and development NGOs. In the long term, the DI aimed to improve social and community development outcomes in communities where their members had operations.[65] In the context of the Harper government, when smaller and more critically engaged NGOs experienced fierce budget cuts, CIDA announced three new "pilot projects", co-founded by three Canadian mining companies and implemented by NGOs that were part of the Devonshire Initiative. 6.7 million Canadian Dollars of public aid budget financed corporate-NGO-projects in Peru (Barrick Gold and World Vision), in Ghana (Rio Tinto Allan and World University Service of Canada), and in Burkina Faso (IAMGOLD and Plan Canada).[66] The announcement of these three "pilot projects" was

62 P. Butler, "Gold'n'girls: Why Canada Weds Gender Equality with Mining Capitalism in Burkina Faso", in: R. Tiessen, S. Baranyi (eds.), *Obligations and Omissions*: *Canada's Ambiguous Actions on Gender Equality*, Montréal, QC: McGill-Queen's University Press, 2017, pp. 141–164 at 153.

63 P. Dagenais, "Canadian Mining Industry Wins with Bill C-300's Defeat", *Canadian Mining Journal*, 1 December 2010.

64 See Goyette, *Charity Begins at Home*.

65 Devonshire Initiative, "About Us", https://www.devonshireinitiative.org/about-us (accessed 9 October 2019).

66 S. Brown, "Undermining Foreign Aid: The Extractive Sector and the Recommercialization of Canadian Development Assistance", in: S. Brown, M. den Heyer, D. R. Black (eds.), *Rethinking Canadian Aid*, 2nd edn, Ottawa: University of Ottawa Press, 2016, pp. 273–294, at 274–275.

widely perceived by critical voices as a peak in the re-commercialization of aid, which in their view constitutes "an indirect subsidy to the Canadian private sector in the name of development".[67] The Canadian government was accused of using public development funds for private CSR programmes and thus of (indirectly) subsidizing corporate interests. Implemented by Plan Canada and the Mining company IAMGOLD, the Canada-Burkina Faso pilot project sponsored a CAD 7.6 million youth training initiative for the period 2011–2017 (of which CIDA contributed 75 per cent, the implementing NGO Plan Canada 12 per cent and IAMGOLD only 13 per cent). It initially provided basic education and vocational training to 10,000 youth, with a strong focus on gender equality.[68] Especially controversial was the claim of CIDA that the young trainees would enrol in skill development linked to the mining labour market.[69] However, rather untypical for a CSR project, the youth training was not implemented in the direct neighbourhood of the IAMGOLD project, but in the southern parts of the country. The claim of having CSR-subsidizing effects thus remained at least controversial. In late 2017, several interviewees expressed discomfort with the Canadian government's decision to apply the CSR label to these partnerships. A chief lobbyist of the Canadian mining industry stressed that the industry actually did not need any public help in the first place in order to gain and maintain its social license to operate.[70]

In response to these events and to more general questions of how to make CSR projects more "sustainable" for local communities, the Devonshire Initiative later published a document on "lessons learned" by DI members about collaboration between NGOs and mining companies. While collaboration between mining corporations and NGOs in the form of Multi Stakeholder Processes for Development (MSPD) continued to figure as an important tool for sustainable development, more capacity-building roles, policy work, advocacy and research, rather than simply development programmes delivered and implemented by the company and NGO bodies, was suggested. And thus began a new emphasis on helping communities (and local governments) set priorities for how to use mining revenue, as well as develop the capacity to manage and allocate the revenue in a transparent and democratic way.[71] Since then, capacity building to deal with

67 Brown, *The Instrumentalization of Foreign Aid Under the Harper Government*, p. 23; Brown, *Undermining Foreign Aid*; The McLeod Group, *The Extractive Sector and Development*.

68 Butler, *Gold'n'girls*, pp. 141–142; Brown, *Undermining Foreign Aid*, pp. 274–275.

69 Goyette, *Charity Begins at Home*, pp. 262–263.

70 See also Brown, *Undermining Foreign Aid*, pp. 277–279.

71 Devonshire Initiative, "Partnering & Partnerships: Lessons Learned in the DI" (2017), pp. 6–7.

mining funds on the local level has continued to be actively supported by a range of Canadian donor structures in Latin America or Africa.[72]

Public-Private Aid Partnerships in Burkina Faso's Mining Areas

In 2016, Global Affairs Canada launched a project to strengthen local (resource) governance in Ghana, Guinea, and Burkina Faso through the West Africa Governance & Economic Sustainability in Extractive Areas (WAGES) project. The project was financed by Global Affairs Canada and jointly implemented by two Canadian NGOs, the World University Service of Canada (WUSC) and the Centre for International Studies and Cooperation (CECI) for a project period of seven years (2016–2022). As Burkina Faso, the two other host countries of large-scale mining projects Ghana (2014) and Guinea (2013) only recently experienced profound reforms of their respective mining legislation. Their governments introduced very similar development funds to that of the FMDL in order to redistribute mining revenues at a local level.[73] The policy goals and emphasis of the WAGES project on the strengthening of decentralization of mining revenue allocation has been in line with the new emphasis of Canadian aid policy on local resource governance similar to the DI or projects in Latin America. According to its implementers in Burkina Faso, the project's first and most important aim was to promote a more "just" distribution of mining benefits among local populations, especially women and young people. It therefore provided three different but interrelated areas of intervention, which consisted of

1. the strengthening of local governance,
2. the promotion of (sustainable and inclusive) local economies, and
3. the promotion of knowledge sharing concerning local community development.[74]

The different trainings and programmes were implemented in more or less close collaboration with "local and national governments, selected mining companies, as well as small and medium-sized businesses and civil society organiza-

72 For Latin America see Goyette, *Charity Begins at Home*, p. 257.
73 Since 2014, the Ghanaian mining legislation has been providing the implementation of a Mineral Development Fund (MDF). The Guinean *Fonds de Développement Économique Local* was adopted in 2013 but has yet to be implemented. See Knierzinger, *Après le boom*.
74 West Africa Governance & Economic Sustainability in Extractive Areas, *Guide de lecture du code minier burkinabè et des normes et standards de l'industrie minière*, p. i.

tions".[75] In doing so, the project design clearly resembled the make-up of the PPP pilot projects.

Although at first sight these NGO projects seem to pursue philanthropic ideas of community development and resource decentralization, it is necessary to question to what extent they represent "(re)actions from above" to engineer community consent, discipline dissent and to eventually make large-scale mining feasible.[76] In that regard, a Canadian NGO leader stated in November 2017, that these new trends of rescaling authority over "community development" from private companies to municipalities could eventually allow Canadian policy bodies – (non)governmental and corporate – to distance themselves further from certain responsibilities for "local externalities" of large-scale mining in the Global South. While local governments are now held accountable for the just distribution of mining revenues, this could consequently also be the case for all conflicts arising out of these new forms of distribution. In his eyes, "resource decentralization" could ultimately serve as a tool for engineering community consent in Canada and Burkina Faso, and therefore as preventing opposition to extractive (policy) projects from emerging in the first place. On closer look, one notices, for example, that some project implementers in Burkina Faso identified the lack of knowledge among local populations and notably municipal councillors as a key obstacle to peaceful business operations.[77] While only one out of two target areas featured Canadian industry presence, the projects must further be seen in light of establishing and reinforcing the "Canada brand" in Burkina Faso in terms of "good" mining governance, as one of its implementers stated in May 2017:

> [. . .] there are many Canadian mines in Burkina Faso. About half of all mines in Burkina Faso are Canadian. For them [the Canadian government] it's an opportunity to give good examples in the countries they interfere in, you see, to promote dialogue in order to prevent difficulties with the populations. In terms of such management, the Canadians are really strong. That results in, if you compare a mine which is not Canadian with one that is Canadian in two different localities, two very different realities. If you take Roxgold/Bagassi, that is a Canadian mine. If you take Houndé, that's not a Canadian mine. You see that there are [a lot of] problems in Houndé.

Yet the project's emphasis on resource decentralization and municipalities (not corporations) as implementers of reform can also be seen as a reaction to the

75 World University Service of Canada, *WAGES*.
76 See Brown, *Undermining Foreign Aid*; Brock and Dunlap, *Normalising Corporate Counterinsurgency*.
77 See Hönke, *Transnational Clientelism, Global (Resource) Governance, and the Disciplining of Dissent*.

various criticisms the PPP pilot projects received in Canada in terms of state-subsidized CSR. While project implementers in Burkina Faso identified a "self-interest" of the Canadian government to represent itself as a responsible donor country in terms of public and private aid, they perceived their collaboration with the respective mining companies either as "indirect" or even as "non-existent". They were aware about the polemic regarding the pilot projects in Canada and therefore insisted on the fact that their projects did not depend on direct engagements with the respective mining company. One important order from the donor organizations was to not accept payments from mining companies and there was, at least, no direct financial collaboration between the NGO project and the mining project in place. Instead, a large part of the donor money was directly paid to the respective municipality, which officially implemented the projects. WAGES coordinators emphasized that their work did not represent corporate social responsibility. Still, they saw the FMDL as an opportunity to "reduce the burden on behalf of CSR" in that it potentially "reduces" community pressure on mining companies. In doing so, they admitted, it enhances the social marketing of companies and eventually facilitates "the successful implementation of the mine".

In its design, the WAGES project thus at least indirectly helped to legitimize the company's presence (and to maintain its social license to operate) as the "existing extractive order" in which it operates.[78] The case of a WAGES-funded youth training centre in Bagassi illustrates these new forms of one could term *indirect* donor subsidies to private CSR. The youth training centre was established in close collaboration with Roxgold, yet it was operated by the municipality of Bagassi. While Roxgold issued XOF 25 million (~ USD 42,000) for the equipment of the centre, WAGES promoted its principles of "capacity building" through the funding of staff and maintenance with XOF 10 million (~ USD 16,000). However, in contrast to the Plan-IAMGOLD pilot project, the WAGES programme aimed to train young people of Bagassi in mostly non mining-related professional activities such as agricultural mechanics, solar energy or carpentry. In doing so, it would respond to the often "excessively high expectations" of local populations, and a tendency among the latter to make the respective mining project responsible for their personal socio-economic wellbeing, as a WAGES official emphasized. Instead of seeking temporary jobs at industrial mine sites at all costs, local people should engage in (not always mining-related) skill development and capacity building programmes: "And we've always said to communities, 'it's true, the mine cannot work with everyone. The mine can [only] work with people that also fit into [their] requirements'." Indirect forms of (mining) employment, purchasing

78 Ibid., p. 115.

and sustainable livelihood restoration were therefore seen as key to community development in mining areas. Corporate agents too, perceived the implementation and management of the Bagassi youth training project through the municipality (and not the company) as a strategic win-win situation. "If we were to finance the whole project, local people would think that they could automatically seek employment at the mine site afterwards. But the mine cannot hire everyone", admitted a CSR manager in Bagassi in September 2017. These statements point to attempts to break with local enclave economies (see Chapter 6) on the one hand, and on the other, to (re)responsibilize local governments and communities to a significant degree for (positive and negative) outcomes and impacts of large-scale mining. In doing so, it re-defines or respectively limits areas of responsibility of multinational mining companies in the country.

Capacity building as a necessary requirement for resource decentralization and community development was an integral component of all pillars of intervention. It was most prominently addressed in the first one (the strengthening of local governance) in order to enhance the credibility and management capacities of local states, and finally to achieve a successful implementation of the FMDL. One of WAGES's main projects, realized in 2017 and 2018, therefore, was the review of municipal development plans (*Plans Communaux de Développement*, PCDs), which they (proportionally) financed for Houndé and Bagassi. According to the reformed mining code, the PCDs prescribe the criteria for the future money allocation derived from the Mining Fund for Local Development. With the same objective (capacity building for communes) the WAGES project also organized trainings for municipal actors on accountability, planning and budgeting. Mining professionals did not feel responsible for the training of local authorities and therefore generally welcomed the project's intervention. However, the Canadian donor project's overall aims were not necessarily in line with industry interests. Canadian mining corporations unsurprisingly had at least a critical stance towards the "1%" project and the potential loss of their authority in local mining governance. They further challenged the "unsustainable" nature of PCDs and their limited capacity in enhancing community development. In contrast to their own CSR strategy and policy papers, previous documents have rather focused on large infrastructure projects than more sustainable livelihood restoration programmes, as a CSR executive stated in September 2017.

The WAGES case is an example for both multi-scalar strategies of actors in resource management and different configurations of power that become (re)negotiated.[79] The national mining reform process, donor interests in democratizing

79 See Dietz, *Politics of Scale and Struggles over Mining in Colombia*, p. 130.

resource governance, and community pressure in the mining areas together engendered a rescaling of authority in mining governance. Nevertheless, this has not been a unidirectional process (from "the global" to "the national" or from "the national" to "the local") and actors appropriated these projects in different ways. The next section will specifically look at municipal councillors' and mayors' strategies in reinforcing their authority in (mining) governance. The various examples of bargaining in the local political arena of Houndé point to complex authority claims, notably between the government-appointed provincial authority and the (indirectly) elected mayor.

Bargaining Power in the Local Political Arena

The example of the FMDL indicates that in Burkina Faso elected bodies for local government have become part of the political arenas in which important conditions for mining are now negotiated. Processes of decentralization have added a further layer of authorities, institutions and interests to the already complex scalar practices of resource governance.[80] "Getting the institutions right", on the other hand, has been increasingly identified as a major challenge to natural resource decentralization reforms by governments, donors and NGOs.[81] To date, few scholarly contributions have focused on the important role of municipal councils in relation to company-state-community bargaining in mining governance.[82] However, as Rita Kesselring asserts in her account on the role of the local state in Zambian North Western province, municipal authorities not only influence extractive relations and outcomes. In turn, extractive activities also deeply "influence the legitimacy, capacity and authority of the local state", and change relationships between the local and central governments.[83] In this section, I will discuss how in Houndé, "the local" increasingly became an important arena for the negotiation and distribution of mining rights and rents. More legal requirements for local governance, such as through the introduction of the FMDL, actually increased margins for bargaining between mining companies, donors and local government authorities. Yet the project of "resource decentralization" also fuelled debates on stateness which became notably manifest through entitlements on who (should) represent(s) local "mining communities"

80 Côte, *What's in a Right*, p. 420.
81 J. C. Ribot, *Waiting for Democracy*: *The Politics of Choice in Natural Resource Decentralization*, Washington, DC: World Resources Institute, 2004, p. 2.
82 Kesselring, *The Local State in a New Mining Area in Zambia's Nortwestern Province*, p. 129.
83 Ibid., p. 131.

in governance issues. In doing so, it most importantly engendered negotiations and conflicting authority claims between government and opposition forces at the local level, personified by the (indirectly) elected mayor and the government appointed provincial authority.

For the period before 2015, Muriel Côte has described the local state's role in resource decentralization as "responsibilities without resources", pointing for instance to the non-existence of appropriate legal frameworks on the municipal level and significant donor dependency for revenue allocation.[84] The already described lacking transfers of 20 per cent of the surface tax from the national treasury to municipalities, or their non-visibility in communal budgets, do not suggest that local people in mining areas were able to improve their bargaining power and livelihoods significantly prior to 2015. Empirical ethnographic accounts rather point to enduring forms of patronage between the municipal authorities and mining companies, as the example in *Alidou l'Orpailleur* suggests.[85] Since 2006, the councils in urban and rural municipalities are made up of councillors elected every five years. The councils are presided by councillor-elected mayors and are linked to nominated Village Development Committees (*Comité Villagois de Développement*, CVD) at the village-level.[86] From the first nation-wide municipal elections in 2006 until the popular uprising in 2014, the great majority of communes in Burkina Faso was governed by municipal councils and mayors close to the former ruling party CDP (*Congrès pour la Démocratie et le Progrès*).

The implemented decentralized units of governance (the *Collectivités Territoriales* – municipalities and regions) also have to be analyzed in light of a number of deconcentrated structures of the central government that administer the subdivisions of the national state (the *Services Déconcentrés*). The municipal councillors and mayors mainly "cohabitent" (coexist) with a governor (who represents the central state in the regions), a high commissioner (who is the provincial authority), a prefect (who governs the departments) and the regional directors of deconcentrated government services.[87] The authorities of political deconcentration in mining regions, however, are reputed to be government officials with only

84 Côte, *What's in a Right*, p. 10.

85 Delisle, *Alidou, l'orpailleur*, pp. 118–120; Côte, *What's in a Right*, p. 2.

86 Government of Burkina Faso, "Loi n° 055–2004/AN portant Code général des collectivités territoriales au Burkina Faso" [Law n° 055–2004/AN on the General Code of Local and Regional Government in Burkina Faso] (2004); Government of Burkina Faso, "Loi n° 21–206/AN portant modification de la loi n°055-2004/AN portant Code général des collectivités territoriales au Burkina Faso" [Law n° 21–206/AN amending Law n°055-2004/AN on the General Code of Local and Regional Authorities in Burkina Faso] (December 2006).

87 See Government of Burkina Faso, *Loi n° 055–2004/AN portant Code général des collectivités territoriales au Burkina Faso*.

faint ties with the localities they are required to govern. This is mainly due to the limited period of their mandate and the multi-locality of their positions, over which the national government decides. Further, the relationships between the deconcentrated state authorities and the decentralized units of governance have often been described as lacking formalization and, therefore, leading to misunderstandings or reservation among actors. Despite existing texts organizing the collaboration between the *Collectivités Territoriales* and *Services Déconcentrés*, a national strategy of administrative deconcentration (2014–2023) therefore stated an absence or ignorance of collaboration agreements, a multiplicity of frameworks for consultation at the local level and the insufficient funding for the functioning of the frameworks for consultation.[88]

As a traditional town of the oppositional forces with a strong presence of nationally organized civil society bodies, Houndé had the reputation of a site of political struggle long before the Houndé Gold large-scale mining project entered its construction phase in April 2016.[89] During the period of the transitional government CNT after the removal of Blaise Compaoré in 2014, the municipal councils were dissolved and all political decisions at the municipal level were executed by special delegations (*délégations spéciales*), who were appointed by the central government.[90] In Houndé, the special delegations were guided by the prefect who is politically accountable to the provincial leader (*haut-commissaire*). In the first municipal elections after the political transition, held in May 2016, the ruling party MPP (*Mouvement du Peuple pour le Progrès*) gained the majority of seats in the municipal council of Houndé (23 against 21 seats for the major opposition party *Union pour le Progrès et le Changement* (UPC). However, during the constitutive meeting of the municipal council, the UPC candidate Dissan Boureima Gnoumou was elected as the new mayor of Houndé.[91] The MPP only obtained the position of the deputy mayor.

88 Government of Burkina Faso, "Decret N°2013-1336/PRES/PM/MFPTSS/MEF/MATD/MATS portant adoption de la stratégie nationale de déconcentration administrative (2014–2023)" [Decree N°2013-1336/PRES/PM/MFPTSS/MEF/MATD/MATS adopting the national strategy for administrative deconcentration (2014–2023)] (2013), p. 27.

89 See Comité de Résistance de Houndé, *Putsch Fachiste au Burkina Faso en Septembre 2015*.

90 Government of Burkina Faso, "Decret N° 2013–431/PRES/PM/MATD/MATS/MEF du 30 mai 2013 portant conditions d'installation, composition et fonctionnement de Délégations Spéciales des collectivités territoriales" [Decree N° 2013–431/PRES/PM/MATD/MATS/MEF of 30 May 2013 on the conditions for the installation, composition and operation of Special Delegations of local authorities] (2013).

91 I. K. Traoré, "L'élection du maire de Houndé sous haute sécurité" [The election of the mayor of Houndé under high security] (2016), http://www.lexpressdufaso-bf.com/index.php?l_nr=index.php&l_nr_c=aeb764a6a854dd20beb97ec048c4ac14&l_idpa=4748 (accessed 20 May 2017).

This political configuration led to a specific bargaining situation in the urban municipality, which has been further reinforced through industrial mining activities. During the exploration phase of the project and first important stakeholder meetings for compensation and resettlement starting in 2013, Avion Gold (which was acquired by Endeavour Mining in 2012) dealt with a multiplicity of local political authorities over time.[92] However, after negotiations temporally slowed down due to the political upheavals of 2014, they mainly accelerated during the *délégations spéciales* local government between October 2014 and May 2016. Company representatives hence reportedly mainly interacted with the provincial authority (also known as *Madame le Haut Commissaire*) who was then – as the official representative of the municipality – most involved in local mining governance. Shortly after Endeavour Mining received its extraction license in February 2016 (through its subsidiary Houndé Gold Operations SA, HGO), and began construction works in April 2016, the result of the municipal elections on 22 May 2016 raised new concerns among mining representatives about who should now be the appropriate interlocutors in local mining governance.

Who should be the Local Interlocutors in Mining Governance?

During interviews with representatives of HGO, it became clear that political rivalries and competition between the mayor of Houndé and the high commissioner of Tuy were major challenges for them in terms of representation, collaboration and negotiation. Since the municipal elections in May 2016, as a CSR executive stated one year later, the company had mainly collaborated with the mayor as a principal interlocutor. However, corporate agents repeatedly described the demands he expressed on behalf of the population he governs as "excessive". In their view, he repeatedly insisted that the company should sponsor events and projects for which it had no responsibility, such as the sessions of the local EITI committee in place since March 2017. At that time, HGO officially refused to finance transparency initiatives that are required to supervise and control their own activities and payments. While HGO initially had also refused to pay any contributions to the revision of the municipal development plan (*Plan Communal de Développement*, PCD), its employees admitted in September 2017 to having financed parts of the

92 See, for example, A. Ouédraogo de Maliki, "Projet d'ouverture d'une mine d'or à Houndé – 'Il faut un partenariat gagnant-gagnant avec la population de base' dit le ministre Salifou Ouédraogo" [Project to open a gold mine in Houndé – 'We need a win-win partnership with the local population,' says Minister Salifou Ouédraogo], *aOuaga.com*, 13 June 2013.

elaboration of the PCD. This was mainly due to threats by the mayor to refuse any further collaboration on mining issues if they denied him funding. They also found out, however, that the elaboration of the PCD of the municipality had (partially) already received funding from the WAGES project. The example illustrates in a colourful way how municipal actors were able to make use of both the new INGO interventions and corporate presence in the municipality for their purposes, although the FMDL was not even in place yet.

Besides the PCD funding issue, a lack of communication between the "independent" WAGES project and mine officials has had two major consequences for company-state-community relations in Houndé. On a very tangible level, it has repeatedly resulted in trainings on similar topics and funding of equivalent projects by the NGO project and the mine. Additionally, the WAGES project's emphasis on municipal councillors had further-reaching consequences for shifting bargaining powers in the local political arena. Their decentralization programme in Houndé financed, for instance, municipal frameworks for consultation (*cadres de concertation communaux*). Yet, since September 2013, there have been different provincial frameworks for consultation (*cadres de concertation provinciaux*) in mining questions in place.[93] In November 2017, the provincial authority established the Monitoring and Liaison Committee (*Comité de Suivi et de Liaison*, CSL) which comprised several subcommittees, among them one for compensation and resettlement questions and one for local employment and procurement. The establishment of the CSL must be seen as an attempt by the provincial authority to harmonize the multiplicity of frameworks for consultation locally, and specifically in the municipality of Houndé.[94] Yet it must also be seen against the backdrop of political struggles to reassert the central state's authority in local mining governance. In doing so, the provincial authority appointed the prefect, not the mayor of Houndé, as the CSL president.

Prior to this, the high commissioner suspended a committee for local recruitment that had been established by the mayor in late October 2017 to respond to claims of civil society organizations for more local recruitment and procurement mechanisms. The committee, which was intended to gather once a month and when needed, hence had the task to observe and to control the

93 The first multi-stakeholder meeting on a provincial level (*Comité provinciale de réinstallation et de dédommagement du projet aurifère de Houndé*) took place place on 18 September 2013. (Government of Burkina Faso, "Invitation: Projets de rapports de réunions passés" [Invitation: Draft reports of past meetings], [2013]).

94 See Government of Burkina Faso, *Decret N°2013-1336/PRES/PM/MFPTSS/MEF/MATD/MATS*, p. 27.

recruitment policy of HGO (*comité de suivi des recrutements*). It served as a "pre-selection committee" for the job applications of "non-" and "semi-skilled" workforce under the supervision of representatives of the municipality, HGO, the CVD, women and socio-professional associations, the human rights organization MBDHP and provincial as regional employment officers.[95] The committee was officially recognized by the company though an Memorandum of Understanding (*Protocol d'accord*) (between the municipality, the company and the civil society stakeholder) and by the municipality through an official decree.[96] However, it was not so by neither the central state representatives in Houndé nor by ruling party members in the municipal council. On 20 November 2016, a "lettre de protestation" (protest letter) of the Houndé Development Association (*Association pour le Dévelopment de Houndé*, ADHO) was published, addressing the CEO of HGO. In the letter, the secretary general of ADHO accused the local recruitment committee of being neither representative of the population of Houndé nor being politically neutral. Consequently, he claimed the immediate dissolution of the committee and to be replaced by a "neutral committee". Should HGO not reply to the request of the ADHO by 4 December 2016, the company would be responsible for any "désagréments" (inconveniences) that might arise in the future.[97] Yet on 23 November 2016, another letter from the same association ADHO appeared. This time, another author stated that he is the "real" secretary general of the ADHO and that the author of the past letter had no mandate to speak in the name of ADHO since he occupies no representative function. It further came out that the first author occupied an important position in the youth organization of the ruling party MPP. What was thus at stake was not so much forms of protest against the recruitment policies of the mine, but political rivalries in the local political arena.

95 Houndé Gold Operation S.A., "Protocole d'accord" [Memorandum of understanding] (2016); Government of Burkina Faso, "Arrêté N°2016-007/MATDSI/RHBS/P-TUY/CHUND portant création, composition, attribution et fonctionnement d'un comité de suivi des recrutements à la société minière Houndé Gold Operation" [Order N°2016-007/MATDSI/RHBS/P-TUY/CHUND on the creation, composition, attribution and functioning of a recruitment monitoring committee at the mining company Houndé Gold Operation] (2016).

96 Ibid.; Houndé Gold Operation S.A., *Protocole d'accord*.

97 Association pour le Développement de Houndé, "Lettre de Protestation" [Protest letter] (2016).

Who Should Supervise Mineral Revenue Allocation?

As the examples of the different frameworks for consultation in Houndé illustrate, bargaining processes in an already politicized political arena tend to become further reinforced through local mining governance. The multiple articulations of contention and negotiation around local concession-making "thicken" social relations rather than contributing to social thinness in and around concessions.[98] In doing so, they represent instances of elemental bargaining between elected municipal authorities and central state representatives who compete over authority in mining issues. Mining professionals, on the other hand, were aware of the existing rivalries between the political authorities which they described as "exhausting". While some perceived the behaviour of local political authorities even in terms of "playing the population against us", they generally recognized that their social license to operate highly depends on the goodwill of both authorities. They thus strategically collaborated with different authorities, but generally opted for corporate diplomacy in the local political arena. In doing so, they discreetly tried to navigate between both authorities, and not "treading on someone's toes", as a CSR executive stated in September 2017. Consequently, they allowed for the establishing of the CSL as the official negotiation and consultation forum on mining issues in Houndé. However, the daily interactions between company officials and local political authorities were also shaped by small concessions they (had to) made to the mayor, such as the funding of the PCD elaboration.

The already existing bargaining processes around entitlements to mining management and notably around the presidency of local negotiation frameworks further point to potential conflicts arising from the implementation of the FMDL. According to different interlocutors I interviewed in 2017 and 2018, one of the main reasons revenue decentralization reform has not been implemented so far has been because of debates on the composition, the presidency and the role of mining corporations in the local FMDL implementation committees. The implementation decree of 2017 stipulated that 0.5 per cent of monthly turnover of the corporations would be transferred to mining-impacted municipalities, who would then decide how to spend the funds on projects elaborated in the PCDs.[99] Mining companies, as already explained, feared the "disappearance of important funds in the hands of mayors", as a mining executive stated in May 2017. Therefore, they claimed that companies should occupy a major position in the

98 See Côte and Korf, *Making Concessions*.

99 See Government of Burkina Faso, *Décret N°2017-0024/PRES/PM/MEMC/MINEFI/MATDSI*.

local steering committees. In contrast, municipal councillors, mayors and some civil society activists demanded that the funds should rather be managed by the elected municipal authorities. In turn, central state authorities announced that they intended to establish an internal compromise between both positions.

After long debates at workshops held to define the local framework of consultation for the FMDL, the Minister of Decentralization established on 30 December 2017 an act that provided the composition of local FMDL committees comprising of nine persons under the presidency of the prefect and with the participation of the license holder.[100] That mining companies occupy the position of vice-president within these local steering committees has been described as a "compromise" to counter corporate attempts to manage (0.5 per cent of) FMDL funds on their own though their CSR programmes. Their role would thus transcend simple supervision functions and ranges from overseeing the annual communal budgets, identifying the priority projects to realize with FMDL money, to the examination and approval of municipal reports on the FMDL. Yet the act also confirmed the "public" nature of FMDL funds to be spent in the priority sectors of health, education and water. Concrete measures and projects will thus be retrieved from municipal and regional development plans (elaborated by the municipalities and regional councils), and not according to corporate CSR priorities.[101] Due to their prominent role in elaborating and defining projects eligible for FMDL funds, the presidency over the steering committees has eventually remained in the hands of central state authorities, and not with the municipalities. A circumstance that a government representative described as follows in March 2017:

> [. . .] the municipalities receive the funds, the municipalities have to utilize the money and report on it. It must thus be someone from the exterior who will preside [the committee] to ensure more transparency in resource governance. As we say, 'one cannot be the judge and the plaintiff at the same time'.

The example of the local FMDL committees eventually demonstrates the limits of the rescaling of power to municipal authorities within frameworks and policies of "decentralization". As for the case of the different provincial frameworks

100 Government of Burkina Faso, "Arrêté N°17-028 portant création, composition, attributions et fonctionnement du comité communal de suivi de l'utilisation du Fonds minier de développement local" [Order N°17-028 on the creation, composition, attributions and functioning of the communal committee for monitoring the use of the Mining Fund for Local Development] (2017).

101 See E. Kaboré, "Fonds minier de développement local: Un gap de plus de 27 milliards de F CFA" [Mining Fund for Local Development: A gap of more than 27 billion F CFA], *L'Economiste du Faso*, 21 May 2018.

for consultation and the local EITI committees, extractive relations point to an enduring importance and occasionally a reinforcement of "the national" in local mining governance. (Trans)National initiatives of resource decentralization have, in any case, important consequences for the different bargaining and claim-making capacities of local authorities. Transnational actors such as corporations and donor projects acting locally, on the other hand, have to account for the multiple and sometimes divergent interests within "mining communities". They increasingly become aware about a number of "proxy conflicts" between municipal and central state authorities on a local level, and about the political appropriation of their projects.

Conclusion

The case of "resource decentralization" as discussed and implemented in Burkina Faso and Canada points to both the grid-making capacity of global capital movements and flows that extend these grids. Hopping capital, as stated by Ferguson, does indeed connect places of mineral extraction with the head offices of multinational corporations, many of them located in Canada's commercial capital Toronto.[102] Yet the chapter has discussed that a range of other stakeholders beyond multinational corporations are involved in the definition of norms and interests inherent to the Canadian and the global mining industry. The "transnational field of extraction" not only extends physically demarcated mineral enclaves in Burkina Faso, but also the walls of head offices of multinational corporations in Toronto or London.[103] The prevalence of multi-stakeholder partnerships around these important places for extractive ordering simultaneously points to spatialities of extraction that are "socially-thick" and multi-scalar in nature. Within these frameworks, a decentralized and democratized mineral revenue allocation has become an important policy paradigm in mining governance connecting "the global" with "the national" and "the local" and vice-versa. This approach eventually allows us to overcome common assertions about "the global space" as a powerful, untouchable entity, and of "the local" as the only place where resistance takes place.[104]

102 Ferguson, *Seeing Like an Oil Company*, p. 379.
103 See Hönke, *Transnational Pockets of Territoriality*, p. 21.
104 See Engels, *Not All Glitter Is Gold*; B. Engels, "All Good Things Come from Below? Scalar Constructions of the 'Local' in Conflicts over Mining", *Political Geography* 84 (2021), 102295; Mansfield, *Beyond Rescaling*; Massey, *For Space*.

This chapter addressed the various actors and scales involved in increasing the influence of local policy-makers and decision-making bodies in the Burkinabè mining sector. However, while governments, companies and INGOs may promote similar topics (community development and resource decentralization), their motivations and interests are often diverse. One important example is the discussions on the boundaries and interrelations between voluntary engagements of the corporate world (such as through CSR and CC) and legal requirements corporations have to fulfil in their home or host countries, or on transnational levels. The chapter has observed similar negotiations on (voluntary and legal) responsibility in the corporate world in Burkina Faso and Canada. However, their multi-scalar connectedness also reveals boundary-making processes in negotiations over responsibility in large-scale mining. Empirical evidence ranges from practices of resistance to profound mining reform by corporate agents in Ouagadougou, to the questionable promotion of "win-win partnerships" in the Canadian extractive sector, to discussions on the (potentially) contested implementation of a Fund for Local Development in the municipality of Houndé. It revealed that shifting donor policies in Canada and Burkina Faso must be seen in light of both criticisms of public-private aid partnerships, as a national policy shift in West African countries towards legal requirements for the decentralization of mining revenue management. The claim of lacking capabilities in the local states, mainly the municipalities, eventually serve as reference points for political intervention through INGO projects that promote local resource governance.

Canadian aid projects in western Burkina Faso demonstrate the interrelationships between rational bureaucratic and participatory "air–conditioned" techniques of government with the "veranda" modes of disciplining dissent to large-scale mining politics.[105] However, in contrast to the highly criticized "pilot projects" of the Canadian government, the implementers of the WAGES project tried to deny any direct links to the former subsidization practices of corporate CSR. Yet the new focus on local capacity building and governance, as the new "indirect" forms of public-private partnerships, did not simply point to a withdrawal from defending Canadian corporate interests on the African continent. Beyond philanthropic ideals, they must be seen as integral to the elaboration of a "Canada brand". They can therefore be considered as a "(re)action from above" to engineer (potential) community unrest in Canada and Burkina Faso, and thus to eventually make large-scale mining feasible.

105 See Hönke, *Transnational Clientelism, Global (Resource) Governance, and the Disciplining of Dissent*, p. 112.

Empirically, looking at these bargaining processes of implementing and dealing with these (potential) reforms highlights to what degree "the above" and "the below" mutually shape each other. Without denying prevailing power hierarchies between actors in the Global North and those in the Global South, it shows that the scalar organization in global capitalism has complex and contradictory effects on local power relations, such as those between the central state and municipal authorities in host municipalities of mining. The contested implementation process of the FMDL illustrates how "global" ideas of mining revenue decentralization and a more "just" distribution of mining rents are struggled over locally. In doing so, "the local" is not the only, but an important site of bargaining over extractive relations that extends spatially enclaved production sites.[106] The next chapter analyses how these production sites become what they are in terms of ideas and infrastructure. It looks at how, inside and outside of concessions, companies promote strategies of strategic opening and enclosure in order to portray themselves as corporate citizens.

106 Cf. Ferguson, *Global Shadows*, p. 203.