
Africa
Spectrum

Ille, Enrico (2018),
International Joint Ventures in Industrial Gold Mining, Corporate Social Responsibility, and Harm-Production in Sudan, in: *Africa Spectrum*, 53, 3, 33–64.

URN: http://nbn-resolving.org/urn:nbn:de:gbv:18-4-11573

ISSN: 1868-6869 (online), ISSN: 0002-0397 (print)

The online version of this and the other articles can be found at:
<www.africa-spectrum.org>

Published by
GIGA German Institute of Global and Area Studies, Institute of African Affairs, in co-operation with the Arnold Bergstraesser Institute, Freiburg, and Hamburg University Press.

# International Joint Ventures in Industrial Gold Mining, Corporate Social Responsibility, and Harm-Production in Sudan

Enrico Ille

**Abstract**: Violent conflicts in Sudan, especially those in Darfur in the early years of the new century, led state and non-state actors in the United States to exert heightened pressure on companies to divest from Sudan, or to prove that their activities in that country do not contribute to the conflicts. In this case study of La Mancha, a company involved in a gold mining joint venture in Sudan from 2006 to 2015, I examine whether and how it reacted publicly to this pressure. I trace how corporate social responsibility (CSR) for the continuation of harm-production was treated in its public statements, what conceptual gaps are perceptible in these statements, and how they were (re)produced in US-based activist circles. On this basis, I highlight the selective acknowledgement of responsibility which is based on assessments of harm-production by external actors excluding those directly affected by it. More generally, the case study relates to debates on CSR in Africa's extractive industries, especially within the frame of complex business structures involving both state actors and foreign investors that make it difficult and nonetheless urgent to identify units of responsibility. I suggest that a communication disconnect during the process of identification can be adequately approached through a conceptualisation of this process as an "arena" of actors who relate to a common issue but not necessarily to each other.

■ Manuscript received 19 October 2017; accepted 13 November 2018

**Keywords**: Sudan, Darfur, gold mining, local conflicts, investment policy, joint venture, corporate social responsibility

**Enrico Ille** is a social and cultural anthropologist, and postdoctoral researcher in a project on urban land and inclusive urbanisation (IDS, University of Sussex with University of Khartoum). He was Urgent Anthropology Fellow (British Museum/Royal Anthropological Institute) with a project on changing human–nature relations in northern Sudan. His research interest includes political ecology, with a focus on gold mining, agricultural pesticide usage, and urban waste.
E-mail: <ille@lost-research-group.org>

# Introduction

Large-scale, industrial, non-petroleum mining in present-day Sudan is mostly pursued by international joint ventures (IJVs) with Sudanese as major partners, many of them linked to the ruling elites or their supporters. This constellation is not unusual within today's extractive industries in Africa, and it has important implications for the way that the involved corporations relate to conflicts in the areas they operate in – and, further, how far they can be held responsible for ones connected to their extractive activities.

The operation of IJVs is, in general, strongly linked to the status formation and governance practices of domestic elites (Hearn 2015), as well as to legal regimes and to ethical demands in global business and in the foreign partners' countries of registration. The composite character of IJVs confronts us with a significant obstacle in assigning responsibility and, subsequently, demanding accountability, which Ferguson formulated as the difficulty "to identify a unit of responsibility, in a fiendishly complex, multiply-layered and decidedly trans-national apparatus of harm-production" (Ferguson 2012: 560).

The question of the responsibility and legal accountability of companies becomes more relevant with the increasing impact of their activities. Confronted with possible legal action and reputational damage over their role in harm-production, companies' decision whether and how to invest and participate in mining operations is positioned between addressing the situation (engagement) or contrariwise avoiding it (disengagement). Many campaigns targeting corporate social responsibility (CSR) are also positioned between these extremes, and endeavour to define criteria for engagement and disengagement – namely, guidelines for situational discretion.

The constructive engagement with volatile situations acknowledges a fundamental link between local residents' well-being and community–corporation relations, posing the question of how to best translate a general concept of CSR into actual local involvement and economic development (Lange and Kolstad 2012; McElroy 2015). But, proponents of such an approach vary concerning their assessment of the quality of this link and the role of state governance. An affirmative stance often builds on some notion of business-for-development, meaning the claim that "the operation of core business on commercial terms […] can benefit poor people in developing countries" (Ashley 2009: 1). This argues for a coexistence of profit and societal benefits. Governments appear, in this line of argument, often as legitimate receivers of taxes and fees, being documented in transparency campaigns such as the Extractive Industry

Transparency Initiative (EITI). However, critical voices ask on whose terms "development" is defined (Gilberthorpe and Banks 2012), and what happens if continued corporate profit-orientation combines with the governmental de-prioritisation of local development – in the process effectively confirming the status quo. In spite of a nominal business-for-development policy, CSR may assist, then, predatory power elites to cement their status against local resistance (Welker 2009; Rubbers 2013). Other critical observers refer to the danger of "corporate oxymorons" – such as "sustainable mining" – that "conceal the contradictions of capitalism and promote business as usual" (Benson and Kirsch 2010: 45–46; see also Kirsch 2012).

Accordingly, there are advocates of unconditional disengagement for situations when profit-seeking corporations operate under the legal umbrella of autocratic, authoritarian regimes, as they cannot avoid supporting these regimes and thus being complicit in their continuance. Organisations such as Global Witness demanded the avoidance of any partnership

> where there is reason to suspect that the local company's beneficiaries may include government officials who are taking advantage of their positions to enrich themselves (GW 2012: 30),

or worse. In a similar way, slogans like "Peace through Commerce" have been answered by more pronounced stances being taken towards the question of: "At what point [does it become] impossible for a firm to remain engaged on the ground and still function as an ethical business?" (Westermann-Behaylo 2009: 417).

This multitude of possible positions gives rise to interstitial spaces of CSR negotiation. In this article, I discuss such interstitial space through a case study from Sudan that demonstrates the phenomenon of the selective acknowledgement of responsibility – an instance that addresses only part of the complaints about a mining operation, while simultaneously excluding those people most affected by harm-production. This problem is more severe in situations where complainants addressing the same issues engage in different, disconnected communicative processes, for example political pressure groups in North America and residents in mining areas in Sudan. Such a situation allows foreign companies operating in IJVs to deal with the former by formulating a response merely sufficient to ease the pressure, and with the latter by shifting responsibility to the residents' state government and the IJV's major partner, which often overlap. My main argument is that the identification of units of responsibility is, therefore, a derivate of how a mining operation is contextualised within different communicative processes – which happens partially, situationally, and positionally. Disconnection existing between the processes intended to check and balance harm-production adds to the structural limitations of such identification of responsibility. The theoretical and practical implication here is that CSR should be approached in terms beyond – but not disconnected from – those that are established from specific positions such as "corporate spokesperson" or "non-resident activist."

I suggest here "arena" as a conceptual frame that captures a discursive situation wherein actors relate to a common issue – a mining operation – but not necessarily to each other. It is, then, an instance of co-constructive, but only partly cooperative, world-making – one that explicitly includes the researcher. The level of interconnection and cooperation in such an arena says something about the quality and legitimacy of identifying responsibility among its constituents.[1]

As an illustrative case in point, I will trace the concrete situation of La Mancha (LMA) – which was involved from 2006 to 2015 in the Ariab Mining Company (AMC) that operates the Hassaï gold mine in eastern Sudan. I examine in the case study whether and in what ways conflicts connected to gold mining in Sudan have been acknowledged in LMA's public statements; it is thus an evaluation of the formulation of a corporate response that emerged out of legal and political challenges to such activities. My analytical focus is on how the company positioned itself, as a corporate actor, concerning both the business (profit) and the societal (ethics) aspects of its engagement in Sudan, and how far these differed from the identification of its behaviour by other actors involved in the scrutiny of its mining activities in Sudan. The analysis is based on LMA's published documents and public corporate statements, while alternative perspectives have been derived from journalistic accounts, non-governmental organisation reports, and a key person interview with a leading member of the oppositional Beja Congress, based in Port Sudan.[2]

It will be shown not only that the communicative processes that the corporate response related to were distinctly disconnected from residents' activism targeting the same issues, but also that this response disappeared once direct political pressure from within the North American

1 This terminology is borrowed from Strauss's "social worlds" framework, and has been defined by Clarke and Star as "composed of multiple worlds organized ecologically around issues of mutual concern and commitment to action" (Clarke and Star 2008: 113).

2 Interview in Port Sudan, 28 February 2013, conducted in Arabic; translation by the author.

context subsided. This outcome was supported by the complex and changing ownership structure of LMA, and by the specific set-up of the mining operation itself – being conducted by an IJV with the Sudanese government, as the major partner. Such a structural arrangement provided the opportunity to shift responsibility conveniently between different frames of reference. In the presented case, this was supported by the business-oriented way in which United States-based activism towards CSR in Sudan was conducted – as no significant link to and cooperation with resident activists in Sudan was developed to challenge this convenient shifting of responsibility. Accordingly, I suggest that the company's engagement with the situation would have resulted in a much more intensive and legitimate process if it was formulated on the basis of multi-scalar politics surrounding the mine – and not on an abstract understanding of another area with a higher global geopolitical profile, namely Darfur.

In general terms, the article connects to the debates on CSR in extractive industries that focus on a better translation of local demands into the circuits of public–private companies and mixed-property regimes. It follows one of the lines in these debates that Hilson has called the "[f]ailure to 'connect' with local populations" (Hilson 2012: 134), specifically addressing grievances that have been formulated somewhere else and thereby miss – or actively bypass – those of the affected populations themselves. The study is not based on intensive analysis of either the presented communicative processes by themselves or on actual harm-production, but considers rather the conceptual and perceptual gaps between them – with the ultimate aim of highlighting the extent and nature of these disparities. In other words, it looks at the interstitial spaces between actors involved in CSR concerns around a mining site regarding communicative interconnections that did not occur. The study thus seeks to complement existing studies with a stronger focus on political processes around extractive activities, such as contentious politics perspectives (Engels 2018), internal processes within mining corporations (Welker 2014), and the in-depth geopolitics surrounding specific mining sites (Luning and Pijpers 2017).

The article starts with a short overview of foreign investment in gold mining in present-day Sudan, being followed by an outline of US-based activism trying to pressure companies to acknowledge and respond to the political implications of investment in Sudan. The subsequent case study of the AMC highlights different responses to LMA's involvement with this company, and role in conflicts around the Hassaï gold mine.

## Industrial Gold Mining in Sudan

Gold started to be of macroeconomic importance in Sudan only around 2010, in particular after the independence of South Sudan in 2011 – when the precious metal became a focal point for the seeking of compensation for oil revenues lost to the new state. This was all the more important as such revenues had been an essential part of Sudan's budget, and, amid a parallel surge in artisanal gold mining, foreign and domestic investment in the industrial gold sector was hoped to be significantly increased. JVs for gold mining reach back to the late 1980s (Antonides 1992), and the Sudanese government had tried – albeit with limited success – to attract investment in the sector more extensively parallel to the oil boom in 1999; apparently, some Chinese companies had shares in gold mining JVs from at least the year 2000 (Mobbs 2002: 26.2). But a major "gold rush" started only after 2008, when the Sudanese government publicly announced gold production as a new major source of non-oil revenues (CRN 2010: 19–20), already before – and in clear anticipation of – South Sudan's separation. While the early years of the new century saw a general decline in gold exports, which had totalled 10,594 tons in 1999 (Yager 2003: 26.1), reported gold production and export increased dramatically in 2010 – while a first gold refinery was opened in September 2012, in Khartoum (Spittaels and Weyns 2014: 20).

In an attempt to increase through foreign investment the presence of industrial mining in the overwhelmingly artisanal gold sector, the government had awarded by 2014 some 127 concessions – of which 10 eventually went into production (IMF 2014: 44). Soon the Ministry of Minerals reported higher and higher numbers of reserves, seemingly as domestic- and investor-oriented promises of a better future; only overall production numbers increased and not the reported export levels, however. The question of what explains the gap between 73.3 t claimed gold production in 2014 and 37 t officially reported exports has been made part of the political scrutiny of Sudan's gold sector (Kumar 2015: 4).

In fact, the political economy of the sector is reflected by the lack of available public information on it. Most governmental announcements provide only superficial information, list company names or even only country names of alleged investors, and give general numbers of signed agreements. The relationship to specific mines or concessions can only be established if corporations themselves provide some kind of disclosure. In other words, only those corporations that bring themselves actively into the public debate are represented in it, as there is no generally available official reporting on current mines and concessions. The effort to produce a general overview of ongoing industrial mining is, accordingly, strenuous. It is not the intention to give such an overview here, but the difficulty to produce it is nevertheless still a relevant issue.

The secretive language around contracts, followed by fragmentary and sometimes contradictory public statements, shows a fluctuation between, on the one hand, a rhetorical "national interest" wherein – also to support claims of sovereignty – natural resources are presented as being "owned by the people" and, on the other, a string of contracts signed without public information, or say. Since there is almost no disclosure of information, the practice of agreements, specific incentives, and stipulations cannot easily be traced – and even general information is mostly given only on request, subject to bureaucratic discretion (USDS 2015: 12). It has been highlighted that foreign investors "are often asked for bribes to establish businesses or undertake economic projects in Sudan" (USDS 2015: 5), and for the inclusion of favoured high-ranking members of the ruling National Congress Party (NCP), military, police, and national security in prominent positions of the obligatory JVs (USDS 2015: 6, 13). This situation corresponds with Sudan's overall political economy, which is dominated by the

> market power exerted by more than 700 "regime companies": some of them are owned directly by the state, others by security agencies and still others by Al-Ingaz leaders and regime cronies. (Verhoeven 2015: 210; for wider analysis, see 207–215; see also, Suliman 2007)

This link between political and economic might, specifically the governing party's prosperity and grasp on power, is not only well established but also protected by law (Sheikh 2003: 17); the extractive industries are organised along the same lines too (Elhashmi 2017; Chevrillon-Guibert 2016). Foreign investors' alleged support for this state of affairs is also behind threatened or actual attacks by several oppositional armed movements against installations permitted to be built only by the central government, with foreign workers having been repeatedly kidnapped from oil and other production sites (Sheikh 2003: 20; Patey 2014: 107–111; USDS 2015: 14). Recent armed confrontations over such sites have occurred around gold and iron mines in the war-affected states of South Kordofan and Blue Nile (Spittaels and Weyns 2014), and also in North Darfur, where the leader of an – at least temporarily – oppositional armed group has openly threatened any industrial gold mining not legitimated by the local non-state administration (Ismail and Kumar 2013). In addition, the high ratio of non-concessional loans flowing from the Gulf States especially in the wake of Sudan joining the Saudi-led military campaign against the Houthi movement in Yemen shows foreign investment in Sudan to be far from business-only; there are, indeed, high political stakes at play. Especially for companies strongly associated with the US economy, this has made investment in Sudan a potentially image-threatening endeavour.

## Investment and Divestment

A recent call for declaring any quantity of the precious metal from Sudan "conflict gold" (Kumar 2015) is the continuation of several US-based broad divestment campaigns that gained momentum after widespread violence broke out in Sudan's western region Darfur in 2003. At some point, news coverage of the war in Darfur reached in the US a level that would trigger several campaigns with the broad aim of "doing something about it." This was based on a perceived "link between oil money and Sudan's military that has led activists to assert that foreign firms are indirectly supporting the crisis in Darfur" (Westermann-Behaylo 2009: 427).

Many of these campaigns were coordinated by the Sudan Divestment Task Force (SDTF), a platform founded in 2006 by the private Genocide Intervention Network (GIN) – itself formed in 2004, to organise activists concerned about the atrocities in Darfur. SDTF's Sudan Divestment Resource Guide argued for efforts "to force problematic companies to address the financial and social implications of their operations in Sudan" (SDTF 2008: 3). On the basis of the accusation that the Sudanese government instigated a genocide in Darfur, this was seen as an extension of US sanctions against that country – in place as a counterterrorism measure since 1997. Since the sanctions only targeted US companies, influence on non-US ones was intended to be effected this way. The legal basis of these efforts was the 2007 Sudan Accountability and Divestment Act, which encouraged divestment from Sudan and forbade outright "federal contracts with companies that operate in Sudan's oil, power, mineral and military sectors" (SDTF 2008: 3).

Presenting itself as a comparatively balanced divestment model, the guide specified that only those business relationships are targeted that involve the government in any way, do not benefit disadvantaged populations significantly, and – even if both are given – do not address this through "a substantial business-practice policy" (SDTF 2008: 5). Most economic sectors were not targeted, based on the presumption that their "revenues do not go directly into the government coffers as they do from the oil and extractive industries" (Westermann-Behaylo 2009: 427). The director of the SDTF, furthermore, stressed that perceptible responses towards stakeholder engagement, meaning pursuing active CSR practice, prevented the group from targeting a specific company, even encouraging "direct investment in the regions of Sudan that so desperately need it" (Sterling 2009). Similar reactions were, for instance, the Sudan Engagement Group of the United Nations-backed Principles for Responsible Investment initiative, which argued for caution vis-à-vis "a country whose human rights record, weak governance, and history of violence is a subject of ongoing public and political concern" – but, rather than support radical divestment, it tried to understand how "to avoid activities that exacerbate or fuel instability and a negative business environment."[3]

In fact, the SDTF seems to have turned more and more into a service for companies, rather than for the affected populations themselves – an impression supported by the eventual transformation of one of its central products, the *Sudan Company Report*, into a commercial venture. Being published with free access up to 2010, aided by Calvert Investments, it became part of the EIRIS Conflict Risk Network (CRN). This body publishes, against an annual subscription, the quarterly *Sudan Company Report*, explicitly with the aim to "inform its investor network about corporate actors and their exposure to conflict risk in Sudan" (EIRIS 2015: 3).

In any case, the SDTF and similar campaigns led to a whole infrastructure of avoidance that had an impact on all foreign direct investment in Sudan – indirectly even on South and East Asian corporations that basically resisted pressure to divest. However, it has been argued that these campaigns not only achieved very little on the ground but they also lacked any significant engagement with the political opposition, affected communities, and with civil society in Sudan (Patey 2014: 161–184; see also, Patey 2009). In addition, analytical efforts surrounding the campaigns mostly concentrated on the responses of corporations, the impact on their assets and performance, their domestic legal environment, and the like (e.g. Bechky 2009). This created a great wealth of material on how the 2007 Sudan Accountability and Divestment Act played out in the US, but – paradoxically – little analysis has been done on how those directly affected by extractive activities were, along with local activists, involved or not in these processes – and how far they benefited from them.

3 These statements were published on the website of the group <www.unpri.org/sudanengagement/index.htm>, which disappeared as of 2014. A cached version can be found online at: <http://web.archive.org/web/20111212181629/http://www.unpri.net/sudanengagement/index.html> (18 March 2016).

In the following case study, I illustrate how disconnectedness between different actors engaging critically in the same issues prevailed in the case of LMA's involvement in the AMC. While a protective role towards affected communities was indeed a central element in LMA's statements regarding its engagement in Sudan, its response to challenges was limited to counteracting the complaints coming from the North American context; resident activists in Sudan were ignored or diverted to the Sudanese government as the responsible partner, meanwhile. The case study thus not only addresses a gap in scientific analysis that corresponds to the exclusive US focus of the involved companies and activists but also provides a critical perspective on the way political and economic environments were selectively acknowledged by a foreign operator of a gold mine in Sudan.

## Ariab Mining Company

AMC's history dates back to the 1970s, and provides a singular case study for the kind of dynamics that are currently in the process of unfolding in Sudan's industrial mining sector. The gold mine it operated, Hassaï, was the only major industrial one producing the precious metal before the recent "gold rush." These operations were actively targeted by the SDTF but processes of public communication around the AMC often took place in separate instances – with few intertextual references being made.

In the following analysis, three kinds of communicative process will be juxtaposed. Apart from some recurrent basic elements, each one tells a different story about the effect that AMC had on the area in which it operated. The first concerns company–shareholder communication, which was informed by the pressure exerted by the divestment campaigns; the second concerns company–general public communication, represented here by a policy paper and a journalistic report on the mining camp; the third concerns community–company/community–state communication, which is derived from an in-depth interview with a local politician who represented for years communities' protests and claims against the company in front of state authorities. While the first two had some overlap, the third represents a separate communication process – in that it was neither recognised in the former two nor itself aware of them.

## General Background

The history of the AMC starts in the late 1970s, when the Total Compagnie Minière (TCM) conducted a geological survey between 1977 and 1980 – including in the Hassaï district of the locality Ariab – in cooperation with Sudan's Geological and Mineral Resources Department and the French governmental Bureau de Recherches Géologiques et Minières (BRGM). Following the survey, a JV – namely, the AMC – was founded in 1981,[4] wherein the Sudanese Mining Corporation held a 60 per cent stake, TCM a 30 per cent one, and BRGM a 10 per cent one.[5]

As of 1991, output had reached 982 kilograms. At the same time a model village was formed in the area, providing educational, health, and sanitary services – in addition to a general financial contribution being made by the company to the Red Sea state's coffers. About 1,000 workers were employed in 2001, 97 per cent of them Sudanese (GRAS 2001: 18–19). At that point, the French company Compagnie Minière Or (COMINOR) held a 40 per cent share of AMC;[6] the Sudanese government held 56 per cent, while the other 4 per cent was held by an unnamed French engineering company (Mobbs 2002: 26.1; Yager 2004: 27.1). Gold production had reached 5,565 t in 1999, and fluctuated around this value in the following years. In 2006, COMINOR's 40 per cent stake was acquired by the Canadian company La Mancha Resources, in exchange for a 63.55 per cent stake in LMA.

In 2010, LMA considered the possibility of expansion – especially through a new polymetallic concession in the Nuba Mountains, in central Sudan – while the Hassaï mine experienced a decrease in its production

---

4 The area covered by the joint venture was about 34°30' – E 36°30' to 18°15' – N 19°20', about 220 kilometres west of Port Sudan. Preparations at Hassaï led in 1987 to the commencement of operations, and in 1988 to a first output of 100 kilograms of gold. The whole Ariab locality was estimated to hold 1.8 million t ore with about 7.2 gram/t gold (Antonides 1992: 252).

5 In the same year, the BRGM published together with the Geological Department and the Saudi-Sudanese Red Sea Joint Commission a 1:2,000,000 geological map of Sudan. In October 1990, the Ministry of Energy and Mining and the BRGM signed a shareholders' agreement to split the revenues from the mining according to a ratio of 60 per cent to the Ministry of Finance and 40 per cent to the French partner.

6 On 31 July 2000 the French company Compagnie Générale des Matières Nucléaires (incorporated in Areva in 2001, since 2006: Areva NC) bought COMINOR through its subsidiary Compagnie Française de Mines et Métaux. This enterprise was, via LaSource Campagnie Minière SAS, a subsidiary of BRGM and Normandy Mining Limited. Part of the deal was a 40 per cent equity interest in AMC (Areva 2000).

due to the exhaustion of near-surface deposits (Yager 2014: 40.1). The year of the highest exports from Sudan and the opening of the country's first gold refinery, 2012, saw a crucial new development as LMA and the other non-Sudanese shares in AMC were acquired by Weather Investments II SARL of the Egyptian Sawiris family (Yager 2015: 41.1). LMA obtained its new seat in Luxembourg, probably for tax purposes, and negotiations were initiated to extend its share in AMC to 51 per cent (LMA 2012).[7]

However, a press release on 20 April 2015 disclosed that the company "[o]pportunistically sold its minority 44% interest," receiving USD 100 million for it. The explicit rationale was that:

> In light of the current market conditions and the inherent risks in financing and developing Hassai's projects, La Mancha […] seized this opportunity to remove its geopolitical overhang and better positioning itself to pursue high-quality African acquisition opportunities. (LMA 2015)

## General Concerns

When the French government disconnected from AMC in 2000 by selling its shares, public attention placed on foreign oil companies in Sudan – especially the Canadian Talisman Energy Inc. – had already reached a peak, and triggered a public investigation by the Canadian government itself (Mobbs 2002: 26.1). Although it had no legal consequences at that point, while Talisman sold its stakes in 2003, the case became one of the standard examples for the limits of voluntary business ethics as well as difficulties to exert pressure on multinational enterprises complicit in human rights violations (Simons and Macklin 2014). In general, Canadian companies were less vulnerable to legal action concerning Sudan, as Canada did not follow to the same extent the US sanctions; rather, it only established trade restrictions for arms and UN-sanctioned individuals.

In any case, LMA – or actually, its involvement in AMC – was quoted by the director of the SDTF as one of the cases of successful engagement with a company (Sterling 2009). The measures said to have caused the removal of the company from the status "scrutinized" were:

7 In November 2013, a company workshop was held in Paris to discuss future projects; in October 2014, Sudan was described in a corporate presentation as a strategically essential part of the company's development into a mid-tier producer with about 15 t annual output, prepared by the formation of the La Mancha Sudan Exploration Company in 2013 and a production plan running up to 2019 (LMA 2014).

1. a meeting with the Sudanese Minister of Energy and Mining to show concern about developments in Darfur;
2. a moratorium on further investments until the full establishment of a UN–African Union peacekeeping force in Darfur (UNAMID);
3. a contribution to a humanitarian project in Darfur;
4. the initiation of an independent evaluation of these CSR measures, in addition to of labour policy, environmental protection, and company security standards.

The CSR measures were reviewed in May 2008 by the law firm Foley Hoag LLP, which the CRN report described as a "law firm with a corporate social responsibility practice that has done human rights monitoring around the world" (CRN 2010: 195). The report failed to add that the same firm was the legal counsel for Talisman against the claims of Sudanese communities themselves. The relevance of this detail lies in the fact that Talisman had extracted oil from an embattled region between northern and southern Sudan from the end of the 1990s through the beginning of the new century, and was then targeted by a divestment campaign of "an alliance of African, North American and European Christian, anti-slavery, and human rights advocates" (Idahosa 2002: 234). Talisman's line of defence, as offered in a later court case too, was built on the three claims that: its operations had nothing to do with violent conflicts; its operations were economically beneficial to the region's population; and, as a commercial enterprise, it had no political accountability in another sovereign state – "a moral division of labour between politics and business" (Idahosa 2002: 235). A very similar line of defence was now formulated for LMA too; in a critical review of the company's CSR measures and the description of the firm, such a prior history of support given to corporate and governmental claims in Sudan against communal interests should arguably have played a role – or at least poses the question why it was not included at this point.

The CRN maintained some critical comments, such as regarding the absence of a reference to human rights in the formulated policies, as – apart from a one-time assessment – "there is no information available on whether respect for such rights is integrated into company practices" (CRN 2010: 196). Apart from that, all measures were tentative and voluntary without any enforceable commitment; the extension of investments in 2012 despite UNAMID and the Government of Sudan being in open conflict over the operational limitations of the former makes this point quite clear. This also invites the question: On what basis were these proclaimed steps considered a sufficient response?

The company's main public documentation of its CSR efforts was its publication *Policy on Ongoing Operations and Investment in Sudan* (LMA 2007), whose formulations were also used in the usually one-page "Social Responsibility" section in corporate presentations and reports. It worked with the premise that international attention for the "strife" in Darfur was informing a "responsibility to monitor the situation and measure the pertinence of [LMA's] presence in the country" (LMA 2007: 1), which was invariably concluded to be beneficial to the economic development of the Sudanese people. Corresponding to this premise, the document started with a short outline of armed conflict in Darfur – carefully describing the rebels' claims of negligence and oppression, subsequent attacks on the government, and the according military response by the government. The short description ended with a note on UN Security Council Resolution 1769 demanding a UN–AU hybrid force, the later UNAMID, with a Chapter VII mandate to secure peace in the area. The reference provided to support this latter point was the website of the GIN.

After the main data on the start of operations, production figures, and forecasts, the workforce is numbered at about 1,400 – with 1,219 local workers, 185 contractor employees, and 14 expatriates. Describing the mine as "vital to the survival of the surrounding villages" (LMA 2007: 3–4) and as the only industrial economic activity in a 100 km radius, the region eastern Sudan was characterised as food insecure, poor, and vulnerable to complex emergencies. Local employees were shown to benefit from having living quarters in the mining camp, when not living in nearby villages, and earning double the average Sudanese income – four times the minimum wage.

Claiming to be proactive with its measures, the policy paper defined as its aim "to protect the interests of [its] shareholders while ensuring a responsible approach to Sudan's complex situation" (LMA 2007: 4). This took the form of adding two criteria of self-evaluation to the protection of profits: no contribution to the humanitarian crisis in Darfur and being of benefit for the people of Sudan. The way that these criteria were analysed indicates a very specific audience being addressed by the paper, with several aspects and actors accordingly being excluded.

## Humanitarian Concerns

Concerning the violent conflict in Darfur, the document acknowledged complicity in revenue-generation for the Sudanese government as a party to these events, but pointed out LMA's status as a minority partner – which implied here the lack of control over the redistribution of most of the revenues. The strong counterargument given to the proposed potential sale of shares was that the Sudanese government, according to the shareholders' agreement, would then be able to control 96 per cent of the mine, which would increase its revenues (LMA 2007: 4–5). In other words, the generation of revenues by the mine was treated as a given. Hence a partial reduction of the government's share – even if for the benefit of a foreign investor – gave complicity a positive connotation. While it was mentioned that at least USD 120,000 would be given to a non-profit organisation active in the Darfur area (LMA 2007: 9), the annual report to shareholders for 2007 only made a general reference to the policy as part of the responsibilities that came with "new-found international producer status" (LMA 2008: 3). In spite of the claim that these would be detailed in the report, none of the activities in Sudan can be found in it – nor in subsequent reports either.

Another noteworthy aspect is the exclusion of issues obviously connected to this complicity, namely the payment of taxes and the scrutiny of public finances that this calls for. As can be traced through LMA's annual reports, there was a constant change and negotiation of payable taxes throughout the years of operation, including *zakah* – a wealth redistribution tax (for details on gold taxation, see: UNCTAD 2015: 17–18; IMF 2013: 12–20). The payment of taxes could thus have been taken up as an issue of social responsibility, especially given that

> Sudan's public sector is perceived as one of the most corrupt in the world, ranking 173 out of 175 nations in the 2014 Transparency International (TI) Corruption Perceptions Index. (USDS 2015: 14)[8]

However, not being pressed within the frame of the divestment campaigns it was not made an issue here either.

The focus on Darfur facilitated this tendency towards only partial disclosure. The most pronounced feature of this focus is the seeming equivalence between "Sudan" and "Darfur" that it articulated. Darfur – and not the immediate region around the mining operation – as a permanent point of reference was stressed in the policy paper by describing the site as "some 1400 km northeast of the Darfour [sic] region" (LMA

8 Although Sudan is nominally part of regional initiatives, it has stayed away from global transparency ones such as EITI. After the formation of the Sudanese Transparency Organization in April 2014, followed by the ratification of the UN Anticorruption Convention in September 2014 (USDS 2015: 15), the access to information on public corruption issues has not visibly increased; on the contrary, reporting in the public media – especially newspapers – is actively blocked by the National Intelligence and Security Service.

2007: 3). Indeed, gold mining in Darfur had become a political issue as well – but so had the war in the Nuba Mountains too. Since the document had been created before the concession in the Nuba Mountains was acquired, that area was of course not mentioned; it was described in the 2010 CRN report as a "concern" (CRN 2010: 194), however. Yet the company's public statements never referred to the war that broke out in the region in June 2011, and when the sale of LMA by Areva was in full swing in April 2012 the corporate statements only addressed the concern of violence between Sudan and South Sudan around Heglig, an oilfield situated on the border between the two, and stressed that its own operations were far away and not affected. The only other stipulated concern was the ongoing negotiations over who would hold a controlling interest in the mine (Lazenby 2012).

What weighs much more heavily is that up to 2006 eastern Sudan was itself affected by violent conflicts, whose underlying grievances were only seemingly and unsustainably addressed by the 2006 Eastern Sudan Peace Agreement; this was not mentioned. This disconnection of the mine from its actual environment was striking, since mining concessions given without local consultation and the insufficient redistribution of wealth generated by the activity were among the crucial issues behind these conflicts (Young 2006: 595; Pantuliano 2006: 711). In fact, one of the major regional political parties, the Beja Congress, has actively questioned the company's conduct – especially after that party became part of the National Assembly in 2007. In an interview with a former general secretary of the Beja Congress and member of parliament from 2007 to 2010,[9] he stated that the exact nature of the company's activities were unclear from the very beginning. It seemed to him, up to 2013, to be a French company that extracted gold and brought it all directly to France, an impression changed only by the conversation with myself during the interview.

After several unsuccessful protests against the lack of information about the mine, a Beja Congress delegation eventually visited it – first in 2004 then again in 2007, and confirmed the suspicion that substantial gold production was taking place. The MP noticed that none of the revenues or other information appeared in budget reports presented to parliament, neither between 2007 and 2010 nor in any of the preceding years. A critical inquiry was answered by then minister of finance, ᶜAwad al-Jaz, with the claim that this concerned only negligible amounts. This

9 Interview in Port Sudan, 28 February 2013, conducted in Arabic; translation by the author.

contradicted the fact that the gold revenues were used as collateral during the construction of a pipeline between the Unity Oilfield and Bashayer Sea Port in Port Sudan, finished in 1999, and that gold was praised as a new hope immediately after the separation of the two Sudans – at a time when the AMC was still the only major producer. In fact, even when gold production decreased between 2004 and 2008 by 54 per cent (Yager 2010: 38.1), exports had still in 2005 a value of USD 63.6 million (Yager 2007: 37.1) – and remained until 2008 above 6 t according to information published annually by the Central Bank of Sudan, but apparently not accessible to the MP.

Neither the immediate context of political conflicts nor interaction with specific claimants against the AMC appeared in LMA's 2007 paper – or, indeed, later public communication. The relevant focus seemed to be on proving both no direct involvement in but still a "general concern" with Darfur, as this was the only issue effectively raised by the divestment campaigns. All other concerns were translated into the claimed benefits of the mine for the local population, the "Beja tribe."

## Local Concerns

This translation represents the amalgamation of a wide range of pertinent issues – recruitment and labour policy, regional development, environmental impact – into the situation of one ethnically defined group of beneficiaries, "the Beja." The "marginalized Beja tribe" was depicted as suffering from "the absence of government subsidies and [the] complete withdrawal of public support in the social sector" (LMA 2007: 5), thus being limited to an existence as urban poor – now saved by the economic opportunities offered by the AMC. In fact, the established line of argument explicitly described the Sudanese government as failing in its responsibilities towards its citizens, for which LMA's presence and influence functioned as a remedy. The perspective of the political opposition, which seemed non-existent here, contradicted the latter part of this argument, and the opportunistic 2015 sale of a holding stake to the same government suggested that its failure was not a significant concern anymore.

The proposed way to help the Beja was by equal opportunity employment, general training programmes, and on-the-job training. Of the workers, 603 were from Beja villages around the mine; the fact that some achieved managerial positions alongside 44 per cent of the mine workers being promoted in the years after the project's inauguration was taken as proof of non-discrimination. Because even the lowest placed on the 12 existing employment levels were shown here to receive twice the minimum wage – in contradiction to the aforementioned previous statement of four times in the same document – this employment opportunity was argued to represent "a significant proportion of the region's economic activity" (LMA 2007: 6).

However, compartmentalised employment was one of the key complaints that the Beja Congress received from local residents – who claimed to be hired only for the lowest kinds of job while even drivers and other semi-skilled workers were brought from outside the region, and graduates from regional universities ignored. Their statements also denied the existence of training facilities or related programmes for staff. However this criticism did not result from a general hostility to the presence of foreign corporations or management, but the demand of reciprocity for the extraction of "their" resources.[10] In this sense, employment of the "local" Muhammad Abu Fatima as general director of the AMC was acknowledged, just as much as the continuing employment of drivers and the like from the other federal states was criticised.[11]

Following its own definition of what development is about, the corporation pointed out a Regional Development Fund that allowed the establishment of "seven schools, one medical clinic, improvements to the local water and power supply, and transportation and communications services" (LMA 2007: 6), benefitting about 10,000 Beja people. The fund was said to have been established under Areva, and accumulated until 2007 USD 2.55 million; in 2007, the company's contribution to it was said to be USD 300,000 – or 4 per cent of overall profits. Furthermore, "[i]n 2006, AMC distributed a total of 300 tonnes of flour, 60 tonnes of sugar, 60,000 boxes of milk, 3.7 tonnes of laundry detergent, and 6 tonnes of soap" (LMA 2007: 7) to the surrounding population. It was stressed a number of times that if only the Sudanese government was in charge then probably no such benefits would ever have been established.

In the view of the MP, overall only USD 200,000 was paid – and only in reaction to their protests to the government. Subsequent to the lack of information about ongoing production, it was also unclear what

10 The MP contrasted the situation with the German company Strabag, which had built a major road in the Red Sea state and trained its workers for certification useful for their future hiring (mentioned in Lawton 1979).

11 The general director's focus on the AMC's identity as a Sudanese company after April 2015, and the expected increase of production based on this "Sudanisation," supports the impression that the operation is not treated primarily as forming a part of the region that the gold and other natural resources are extracted from (*Sudan Vision* 2015).

percentage of revenues from natural resource extraction this amount represented. However, rather than being about amounts of money unilaterally paid by the company, the relevant contention was regarding the perpetuation of the lack of political accountability of public organs that was supported – or at least not challenged – by this arrangement: while the money was intended for the model village, Bir al-ᶜAjim, and for its surroundings, it was in fact taken by the Red Sea state without clear use for citizens. Ariab remained among the poorest regions in Sudan, without electricity, tap water, good schools, or thriving settlements. The model village, visited by the MP in 2004 as a Beja Congress representative and in 2007 with a delegation under the leadership of a presidential advisor, had only to show for itself an empty hospital, a school building used as living space, and a company that paid salaries without work for local leaders.

Parliament and civil society were replaced in the paper's construction of the social environment of the mine with, instead, a unified tribal territory under a unified tribal leadership. In some way, this corresponded to socio-economic and political misunderstandings reproduced also in other contexts. The only journalistic report allowed from inside the mining camp, which was produced in 2009 by a team of the news channel *France 24* (Aubouard and Bittar 2009), questioned LMA's presence as being a contradiction between French civil values and a French company – namely, Areva – profiteering from a country experiencing large-scale violent conflict – dubbed genocide. The mine's earlier history was also geopolitically contextualised, per France's stable relationship with the Sudanese government under the Sorbonne-educated Hassan al-Turabi up to the end of the 1990s. However, apparently based only on a one-day stay on-site, the documentary failed to grasp the complications of the representation involved in the mine's local presence.[12] The environment of the mine was described as a "desert" inhabited by "the Beja," and an interview quoted "the tribal leader," called *ᶜumda*, who presented the land as his – living himself a nomadic life "as was normal in the past."

From a wider perspective, the *ᶜumda* was not a representative of the whole region – or even of all communities around the mine – but part of a political system of representation between a central government and its perceived peripheries. Apart from the fact that "Beja" is a summary term for millions of people within dozens of groupings living in Sudan, Eri-

12 A short reference to everyday conflicts over water and grazing issues in surrounding communities, in which the expat technical supervisor appeared as the arbitrator, was not followed up on, to show what kinds of conflict these were and who exactly was involved.

trea, and Egypt, being subject to ethno-politics, as with most tribal designations in modern Sudan, the journalists' – and, more importantly, LMA's – assessment lacked serious consideration of the multiple ways in which livelihoods and economic politics in the region play out. How the company was entangled in large-scale conflicts over land and the right to make use of it were also ignored (Manger 1996; Calkins 2014; Pantuliano 2014).

Instead of acknowledging and addressing this entanglement, LMA's paper turned to "international standards" as a claimed safeguarding of best practices. Regarding worker health and safety, international standards were cited by way of example – here with the Barrick Gold Corporation in African mines as the point of reference. Lost Time Injury Rate and Total Medical Injury Rate were cited to prove best practices, together with the picture of a worker close to a furnace wearing a hood with a face-shield opening, high-temperature gloves, and otherwise seemingly wool or linen clothes. It was also said that "STAR" environmental standards were followed – an acronym neither broken down nor explained in the paper – and that an internal investigation of Areva had supported this positive assessment. Environmental concerns were covered as well since LMA "brings a Canadian/European perspective" to the board and management, especially because there was no Sudanese national environmental regulation or standard for the mining industry (LMA 2007: 8).

But there was no clear statement given on what exactly was assessed, or how. Considering the environmental and other CSR track record of Canadian mining companies (CCSRC 2009), the reference to a "Canadian perspective" seems not to hold much value by itself; in fact, it has been pointed out that a "number of large Sudanese-owned corporations have active and full CSR programs that compare favorably with what one would see in the U.S." (USDS 2015: 12). Related governmental statements and activities only target so-called traditional – not industrial – mining, a limited view on environmental concerns supported by the dominant international organisations as well (AfDB, OECD, UNDP, and UNECA 2012: 5, AfDB, OECD, and UNDP 2014: 4). The claim that no national legislation exists is simply false, as Sudan has had an environmental protection law since 2001 – while current laws on mining go back to the Mines and Quarries Act 1972, updated and amended in 2007, 2010, and 2013 (Ille and Calkins 2013).

Once again, Beja Congress grievances paint a very different picture. After consultation with miner unions in South Africa and France about occupational and environmental safety regulations for open pits, the delegation sent to the mine noted the usage of potassium cyanide on the slurry (derived from grinded ore) that was piled up on uncovered soil, the unprotected tailings of mining waste, and – being confirmed by the technical supervisor of the mine – an absence of any instruments to measure environmental impact on soil, water, and similar.[13] At the same time, they observed in the mountainous areas close to the mine darkened soil and malformed trees, and dried wells that had had a long history of feeding oases – for instance Bir al-cAjim, where the model village was located. Residents reported an increase in respiratory and skin diseases and subsequently frequent hospital visits, without medical studies or even statistics being initiated as a response. Since no working hospitals or even emergency transport services were operational in the area, at least in 2007, subsequent deaths started to be accepted by the residents as God's will (*'amr Allah*). The Beja Congress, however, saw its general distrust in the government's performance as being hereby vindicated, and accused the company of having reacted to these developments by paying bribes to officials to buy their silence.

Between humanitarian and "local" concerns, the identity of the company was thus variably represented as a JV mostly controlled by the Sudanese government and contrariwise as a JV operating according to international standards. The former defined the limits of the foreign partner's political accountability; the latter established the extent of the domestic partner's social and environmental responsibility. This was made possible by the conclusion of an arrangement that secured a majority of revenues for the Sudanese government, but left all operational responsibility to the "minor" foreign partner.[14] At the same time, LMA used its status as "international partner" also as an argument for its presence on-site. Maintaining an international presence in the mine was claimed to secure the application of "international 'best practice' standards for worker health and safety and environmental management" (LMA 2007: 5), and also to maintain the alleged benefits to the region's population – which were thus expected to be withdrawn if only the federal government was involved. In this defence of LMA's revenue-generating complicity with the – explicitly admitted – continuing harm-production by the Sudanese government, there appears to be no contra-

13 LMA was not a signatory to the International Cyanide Management Code or the Canada-based International Council on Metals and the Environment.

14 The mine had the same Belgian supervisor from 1992 to 2013, lending this aspect continuity amid changes on the level of company ownership and management.

diction between the claim of having limited influence as "minority" partner and that of possessing strong influence as "international" partner.

## Conclusion

This article has examined the corporate response to different challenges of the company La Mancha's (LMA) involvement in mining operations in Sudan (2006–2015) through the Ariab Mining Company (AMC). This was an international joint venture (IJV) that had the Sudanese government as the major shareholder, and that dominated industrial gold mining in Sudan for most of the 1990s and first decade of the new century. While expat employees were central to managing the actual operation of its mine up to 2015, when AMC became a purely Sudanese company, the IJV's ownership structure changed several times during that period.

The article is based on a general concern about assessments of whether a company and/or investor is contributing to harm-production when it is part of an IJV that includes members or supporters of purportedly harm-producing regimes as major partners. In the politico-economic environment of this operation, the extraction of natural resources was highly contested, both violently and non-violently, and the participation of government officials or regime supporters inevitably carried a conflictual element into the IJV's existence and presence on the ground. While its concession represented a legal, territorial claim to pursue gold mining, the actual extraction process was surrounded by numerous counterclaims and was confronted with the necessity for LMA to defend itself on paper against suggestions of illegitimacy (for the contextual argument here, see Calkins and Ille 2014; Ille and Calkins 2013).

Put under pressure in the US to develop a clear position concerning ongoing conflicts in Sudan, LMA developed a policy paper that has been critically analysed here. Two central aspects came out of this scrutiny: The first is that the Sudanese government featured as – economically and politically – the major partner, but minor operational decision-maker, which facilitated the delinking of these roles. Meanwhile, LMA's public statements suggested it had a dominant role for the direction that the AMC's performance and CSR practices take, implicitly claiming these to be operational considerations. The second aspect was the non-existent – or at least imperceptible – relationship between public statements of LMA in reaction to divestment campaigns in the US and the political processes around, and active protest against, the AMC in Sudan itself. Not only the focus on Darfur – a region far from the mining area, but prominently represented in global media – but also the absence of recognition of political, social, and environmental problems directly related to its conduct indicated that LMA's public relation efforts engaged with North American and European audiences, activists, and shareholders – and not with the very people that were supposed to benefit from its CSR measures. It was also shown that North American activists, specifically the Sudan Divestment Task Force, seemed to have accepted this focus, as no active effort was made to work together with resident activists in Sudan.

This was, arguably, a general characteristic of a number of different Sudan divestment campaigns, and their envisaged interventions in Sudan's political struggles. In an attempt to not appear anti-market or anti-investment per se, the movement was caught in an

> uncritical embrace of neoliberal-led capitalism [that] led to the embedding of these struggles into, and thus the reproduction of, market rule, or […] marketisation of social justice. (Soederberg 2009: 212)

In consequence, a complex conflict situation was often reduced to mass media-derived simplifications that did not do much to connect to conflict actors and dynamics in Sudan (see also, Ille 2016).

There was thus a fundamental disconnect between activism that tried to discover and pressurise transnational culprits, such as the Sudan divestment campaigns, the inner workings of transnational public–private joint ventures, such as the AMC, and the alleged beneficiaries of both, "the Sudanese people" or "local communities," who were not involved as significant participants in the campaigns or in the public–private decision-making processes. The combination of vague structures of responsibility and selective acknowledgement of it by those put under scrutiny seemed both to benefit from and to play a crucial role for the existence of this disconnectedness – and, with it, the increased difficulty to assess harm-production. This is of special importance within the frame of present debates on how to assign responsibility and demand accountability vis-à-vis harm-production by complex transnational commercial entities, such as IJVs in Africa's extractive industries. As such, it calls for critical studies that provide new connections rather than merely reproduce existing fragmentation.

What I highlight here is the importance of how a mining operation is contextualised, especially concerning its construction of a "local community." In its economic argument, the discussed policy paper followed the concept of "growth poles" that sees large-scale mines as catalysts of local economic development – a concept by now well established among sub-Saharan extractive industries. The labour-related points may even represent an application of "local content," in that ostensibly the resident population was made a significant part of the workforce (Hilson, forthcoming). Hilson argued, however, that the former policies fall short in parallel with the regional government's own failure to receive and/or use revenues in this sense. In addition the case has shown that the concept of "local" can be deployed merely as an updated version of colonial notions of "tribe," by deleting structural relations and representational politics in favour of an equalised social community. In fact, the self-articulated defence of the company's interest in the continuation of operations, through alliances with both national government elites and a specific section of local power ones, reminds us of the dynamics observed by Welker (2009), and emphasises the question of how the operation is contextualised and its "local population" defined.

I contend that a critical review of CSR has to acknowledge – but not accept – the corporate frame. What has been shown here is that the divestment campaign activists effectively accepted such a frame, even if they formulated their aims in terms of communal well-being. The presupposition that a review of a company's performance can take place without a monitoring system that includes those constantly exposed to it shows a cognitive set-up that comes across as deeply paternalistic. This may be – in abstract terms – a variation of known asymmetries in North–South relations and, more generally, of representational practices. But the interesting twist here is that the non-represented oppositional voices were not some isolated communities, whose lack of interconnection with "the world" lies behind their disconnection from these campaigns. As the details of visits by non-Sudanese unions showed, there were alternative networks that nevertheless failed to become relevant to either component of the JV.

The balance between economic gains, local employment, and harm-production is arguably supposed to be the result of a negotiation wherein those who may have a claim to economic benefits as local residents and those who are directly affected by harm-production should have a significant voice. This normative argument concerns already the first step of such a negotiation, which is the definition of those who are to be given a chance to even participate. The present case has shown multiple layers of exclusion in this regard, not just by governmental and corporate actors but also by US-based activists.

My main reflection here is the relativity of the response dimension of responsibility, which requires someone asking for a response and someone giving it. Selective discursive responses are reflected here not by simply ignoring "local people," but by establishing a contextualisation for oneself that selects – and thereby implicitly excludes – certain of the existing questioners. This communicative omission was facilitated both by the mixed property regime and discursive disjunction. The theoretical consequence is that an analytical emancipation from this process has not only to add in those silenced voices, but to shift the centre – or even shape – of the exchange. This is possible, for instance, by focusing on shared objects of negotiation, such as a mining operation, and by questioning existing groupings as a seductive status quo.

It seems conceptually fruitful to think of this in terms of an arena wherein actors relate to the same issue but not necessarily to each other, and have the same directionality to their concerns. While they were related to the same mining operation, the divestment campaign that had targeted political discourses in eastern Sudan, for instance, did not follow the line drawn by divestment activism nor derived from it; this line had been formulated without any communication with those that the activism was ostensibly standing up for. A dissenting voice was presented here, only tentatively, through the viewpoint of a leading oppositional figure and the – in this case politically probably inconsequential – information that I as a researcher added to this viewpoint. But contextual information showed as well that local actors' discourses were about environmental protection, higher-level employment, and, more generally, the redistribution of wealth in the region. This region, once again, was not just formed by some "local people," but by a multi-scalar landscape of elite formation, economic distributional arrangements, and belonging. This means that the company was part of pre-existing political struggles, not the centre of the political struggle. This is why reversing the perspective seems so essential when considering CSR: following a company-centred mapping of the situation will reproduce their priorities, instead of analysing and/or allowing for different sets thereof.

The theoretical and practical implications of this argument are intertwined; or, as Gilberthorpe and Rajak call it, they form "both an intellectual and political enterprise" (Gilberthorpe and Rajak 2016: 198). Just as the arena that CSR is negotiated in is multi-scalar and multi-positional, and should be analysed as such, negotiation positions and communicative processes themselves should be – ideally – empowered as such too. Compartmentalisation – for instance into "local," "national," and "international" – is bound to be found wanting and to be silencing, while attempts to reduce a mining site's context to such compartments calls for engaged re-contextualisation (see also, Gilberthorpe and Rajak 2016: 201).

In this specific case, a differentiated, non-defensive response would have looked beyond one local leader towards the representational politics in the region, beyond the media-empowered Darfur conflict into geographically closer concerns, and beyond abstract notions of environmental standards into the observations and questions that arose around the actual mine itself. In an arena, the corporation is part – and not part and parcel – of the geopolitical landscape that calls for CSR in the first place. Accordingly, the identification of a corporation's responsibility should not be its own(ed) concern, but rather one of a community of practice that reduces disconnection and conflict between actors together forming an arena around this common issue. CSR measures should extend at least far enough to ensure that such a community can have a meaningful existence, according to its own, self-defined benchmarks.

## References

AfDB, OECD, and UNDP (2014), Sudan, in: *African Economic Outlook 2014*, Abidjan: AfDB, OECD, and UNDP, online: <www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AEO2014_EN.pdf> (22 November 2018).

AfDB, OECD, UNDP, and UNECA (2012), Sudan, in: *African Economic Outlook 2012*, Abidjan: AfDB, OECD, UNDP, and UNECA, online: <www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AEO2012_EN.pdf> (22 November 2018).

Antonides, Lloyd E. (1992), Sudan, in: *Minerals Yearbook. Mineral Industries of Africa 1989. Volume 3*, Washington, DC: Bureau of Mines, U.S. Department of the Interior, 250–254.

Areva (2000), *COGEMA acquiert la société COMINOR, filiale du BRGM*, online: <www.sa.areva.com/FR/actualites-5406/cogema-acquiert-la-societe-cominor-filiale-du-brgm.html> (17 January 2019).

Ashley, Caroline (2009), *Harnessing Core Business for Development Impact*, ODI Background Note, London: Overseas Development Institute.

Aubouard, Stéphane, and Mia Bittar (2009), A Golden Deal for French Firm in Sudan, in: *France 24 English*, 26 June, online: <www.youtube.com/watch?v=ueSfHwpa2h0> (18 March 2016).

Bechky, Perry S. (2009), Darfur, Divestment, and Dialogue, in: *Journal of International Law*, 30, 3, 823–904.

Benson, Peter, and Stuart Kirsch (2010), Corporate Oxymorons, in: *Dialectical Anthropology*, 34, 1, 45–48, DOI: <https://doi.org/10.1007/s10624-009-9112-y>

Calkins, Sandra (2014), Gaining Access to Land: Everyday Negotiations and Rashaida Ethnic Politics in North-Eastern Sudan, in: Jörg Gertel, Richard Rottenburg and Sandra Calkins (eds), *Disrupting Territor-*

*ies. Land, Commodification and Conflict in Sudan*, Woodbridge and Rochester: James Currey, 180–205.

Calkins, Sandra, and Enrico Ille (2014), Territories of Gold Mining. International Investment and Artisanal Extraction in Sudan, in: Jörg Gertel, Richard Rottenburg, and Sandra Calkins (eds), *Disrupting Territories. Land, Commodification and Conflict in Sudan*, Woodbridge and Rochester: James Currey, 52–76.

Canadian Centre for the Study of Resource Conflict (2009), *Corporate Social Responsibility: Movements and Footprints of Canadian Mining and Exploration Firms in the Developing World*, Victoria: CCSRC.

CCSRC see Canadian Centre for the Study of Resource Conflict

Chevrillon-Guibert, Raphaëlle (2016), Le boom de l'or au Soudan, in: *International Development Policy*, 7.1., online: <http://journals.openedition.org/poldev/2231> (22 November 2018).

Clarke, Adele E., and Susan Leigh Star (2008), The Social Worlds Framework: A Theory/Methods Package, in: *The Handbook of Science and Technology Studies*, Cambridge: MIT Press, 113–158. DOI: <https://doi.org/10.1002/9780470377994.ch6>.

Conflict Risk Network (2010), *Sudan Company Report Quarter 4*, Boston, MA: CRN.

CRN see Conflict Risk Network

EIRIS Conflict Risk Network (2015), *Sudan Company Report Quarter 1. User Guide*, Boston, MA: EIRIS Conflict Risk Network.

Elhashmi, Elfadil Elsharief (2017), *The Politics of Mining and Trading of Gold in Sudan: Challenges of Corruption and Lack of Transparency*, Sudan Democracy First Group/Sudan Transparency Initiative, online: <www.dabangasudan.org/uploads/media/5a0c5fb1b2e7d.pdf> (22 November 2018).

Engels, Bettina (2018), Nothing Will Be as Before: Shifting Political Opportunity Structures in Protests against Gold Mining in Burkina Faso, in: *The Extractive Industries and Society*, 5, 2, 354–362, DOI: <http://doi.org/10.1016/j.exis.2018.01.001>.

Ferguson, James (2012), Structures of Responsibility, in: *Ethnography*, 13, 4, 558–562, DOI: <https://doi.org/10.1177/1466138111435755>.

Geological Research Authority Sudan (2001), *Annual Report*, in Arabic, Khartoum.

Gilberthorpe, Emma, and Glenn Banks (2012), Development on whose Terms? CSR Discourse and Social Realities in Papua New Guinea's Extractive Industries Sector, in: *Resources Policy*, 37, 2, 185–193.

Gilberthorpe, Emma, and Dinah Rajak (2016), The Anthropology of Extraction: Critical Perspectives on the Resource Curse, in: *The*

*Journal of Development Studies*, 53, 2, 186–204, DOI: <https://doi.org/10.1080/00220388.2016.1160064>.

Global Witness (2012), *Rigged? The Scramble for Africa's Oil, Gas and Minerals*, London: Global Witness.

GRAS see Geological Research Authority Sudan

GW see Global Witness

Hearn, Bruce (2015), Institutional Influences on Board Composition of International Joint Venture Firms Listing on Emerging Stock Exchanges: Evidence from Africa, in: *Journal of World Business*, 50, 1, 205–219, DOI: <https://doi.org/10.1016/j.jwb.2014.04.006>.

Hilson, Gavin (forthcoming), Why is there a Large-Scale Mining 'Bias' in Sub-Saharan Africa?, in: *Land Use Policy*, DOI: <https://doi.org/10.1016/j.landusepol.2017.02.013>.

Hilson, Gavin (2012), Corporate Social Responsibility in the Extractive Industries: Experiences from Developing Countries, in: *Resources Policy*, 37, 2, 131–137, DOI: <https://doi.org/10.1016/j.resourpol.2012.01.002>.

Idahosa, Pablo (2002), Business Ethics and Development in Conflict (Zones): The Case of Talisman Oil, in: *Journal of Business Ethics*, 39, 3, 227–246, DOI: <https://doi.org/10.1023/A:1016546308886>.

Ille, Enrico (2016), Complications in the Classification of Conflict Areas and Conflict Actors for the Identification of "Conflict Gold" from Sudan, in: *The Extractive Industries and Society*, 3, 1, 193–203, DOI: <https://doi.org/10.1016/j.exis.2015.12.005>.

Ille, Enrico, and Sandra Calkins (2013), Gold Mining Concessions in Sudan's Written Laws, and Practices of Gold Extraction in the Nuba Mountains, in: Elke Grawert (ed.), *Forging Two Nations. Insights on Sudan and South Sudan*, Addis Ababa: OSSREA, and Bonn: BICC, 112–126.

IMF see International Monetary Fund

International Monetary Fund (2014), *Sudan. 2014 Article IV Consultation and Second Review under Staff-Monitored Program*, IMF Country Report No. 14/364, Washington, DC: IMF.

International Monetary Fund (2013), *IMF Sudan, Selected Issues*, IMF Country Report No. 13/320, Washington, DC: IMF.

Ismail, Omer, and Akshaya Kumar (2013), *Darfur's Gold Rush: State-Sponsored Atrocities 10 Years after the Genocide*, Washington, DC: The Enough Project, Center for American Progress.

Kirsch, Stuart (2012), *Mining Capitalism: The Relationship between Corporations and their Critics*, Oakland, CA: University of California Press.

Kumar, Akshaya (2015), *Fool's Gold: The Case for Scrutinizing Sudan's Conflict Gold Trade*, Washington, DC: The Enough Project, Center for American Progress.

La Mancha Resources Inc. (2015), *La Mancha Forms A Strategic Alliance with Evolution in Australia and Exists from Sudan to Refocus Its Growth Strategy in West Africa*, online: <www.lamancha.ca/images/news/2015/150420-LMA-forms-strategic-alliance-with-EVN-VDEF.pdf> (17 January 2019).

La Mancha Resources Inc. (2014), *Corporate Presentation of LMA*, online: <www.lamancha.ca/images/lamancha/investors/publications/presentations/141023-Corporate-Presentation-of-LMA-Vdef.pdf> (29 October 2015).

La Mancha Resources Inc. (2012), *Weather II Announces Commencement of Compulsory Acquisition*, online: <www.lamancha.ca/en/news/2012/weather-ii-anounces-commencement-of-compulsory-acquisition> (29 October 2015).

La Mancha Resources Inc. (2008), *2007 Activity Report*, Montreal: LMA.

La Mancha Resources Inc. (2007), *Policy on Ongoing Operations and Investment in Sudan*, Montreal, online: <www.lamancha.ca/images/lamancha/quick-information/sudan-responsible-development-policy.pdf> (29 October 2015).

Lange, Siri, and Ivar Kolstad (2012), Corporate Community Involvement and Local Institutions. Two Case Studies from the Mining Industry in Tanzania, in: *Journal of African Business*, 13, 2, 134–144, DOI: <https://doi.org/10.1080/15228916.2012.693445>.

Lawton, John (1979), Arab Aid. In the Sudan, in: *Aramco World Magazine*, 30, 6, 28–31.

Lazenby, Henry (2012), La Mancha's Sudan Mine 'Unaffected' by Turmoil, Auction Proceeding, in: *Mining Weekly*, 24 April, online: <www.miningweekly.com/article/la-manchas-sudan-mine-unaffected-by-turmoil-auction-proceeding-2012-04-24> (18 March 2016).

LMA see La Mancha Resources Inc.

Luning, Sabine, and Robert J. Pijpers (2017), Governing Access to Gold in Ghana: In-Depth Geopolitics on Mining Concessions, in: *Africa*, 87, 4, 758–779, DOI: <https://doi.org/10.1017/S0001972017000353>.

Manger, Leif (ed.) (1996), *Survival on Meagre Resource: Hadendowa Pastoralism in the Red Sea Hills*, Uppsala: Nordiska Afrikainstitutet.

McElroy, Caitlin A. (2015), Technological Dynamics and the Resource Curse. Between Macro-Economic Policy and Local Corporate So-

cial Responsibility (CSR), in: *The Extractive Industries and Society*, 2, 56–63, DOI: <https://doi.org/10.1016/j.exis.2014.11.002>.
Mobbs, Philip M. (2002), The Mineral Industry of Sudan, in: *2000 Minerals Yearbook*, Washington, DC: US Geological Survey, US Department of the Interior, 26.1–26.3.
Pantuliano, Sara (2014), Entangled Land and Identity. Beja History and Institutions, in: Jörg Gertel, Richard Rottenburg, and Sandra Calkins (eds), *Disrupting Territories. Land, Commodification and Conflict in Sudan*, Woodbridge and Rochester: James Currey, 152–179.
Pantuliano, Sara (2006), Comprehensive Peace? An Analysis of the Evolving Tension in Eastern Sudan, in: *Review of African Political Economy*, 33, 110, 709–720.
Patey, Luke A. (2014), *New Kings of Crude: China, India, and the Global Struggle for Oil in Sudan and South Sudan*, London: Hurst.
Patey, Luke A. (2009), Against the Asian Tide: The Sudan Divestment Campaign, in: *The Journal of Modern African Studies*, 47, 4, 551–573, DOI: <https://doi.org/10.1017/S0022278X09990061>.
Rubbers, Benjamin (2013), Les sociétés africaines face aux investissements miniers, in: *Politique africaine*, 131, 3, 5–25, DOI: <https://doi.org/0.3917/polaf.131.0005>.
SDTF see Sudan Divestment Task Force
Sheikh, Fath El Rahman Abdalla El (2003), *The Legal Regime of Foreign Private Investment in Sudan and Saudi Arabia*, second edition, Cambridge et al.: Cambridge University Press.
Simons, Penelope, and Audrey Macklin (2014), *The Governance Gap: Extractive Industries, Human Rights, and the Home State Advantage*, London and New York, NY: Routledge.
Soederberg, Susanne (2009), The Marketisation of Social Justice: The Case of the Sudan Divestment Campaign, in: *New Political Economy*, 14, 2, 211–229, DOI: <https://doi.org/10.1080/1356340902825999>.
Spittaels, Steven, and Yannick Weyns (2014), *Mapping Conflict Motives: The Sudan – South Sudan Border*, Antwerp: International Peace Information Service (IPIS).
Sterling, Adam (2009), Sudan Divestment Campaign's Goal and Tactics and the Corporate Responsibility, in: *African Arguments*, 3 May, online: <www.africanarguments.org/2009/05/03/corporate-responsibility-and-the-goals-and-tactics-of-the-sudan-divestment-campaign/> (18 March 2016).
Sudan Divestment Task Force (2008), *Sudan Divestment Resource Guide*, Washington, DC: SDTF.

*Sudan Vision* (2015), Ariab Mining Company Owned by Government by 100%, 14 April, online: <news.sudanvisiondaily.com/details.html?rsnpid=248675> (18 March 2016).

Suliman, Osman (2007), *Current Privatization Policy in Sudan*, Policy Brief 52, Ann Arbor, MI: William Davidson Institute, University of Michigan.

UNCTAD see United Nations Conference on Trade and Development

United Nations Conference on Trade and Development (2015), *The Sudan. Investment Policy Review*, UNCTAD/DIAE/PCB/2014/5, Geneva: UNCTAD.

US Department of State (2015), *Investment Climate Statement – Sudan*, Washington, DC: USDS.

USDS see US Department of State

Verhoeven, Harry (2015), *Water, Civilisation and Power in Sudan. The Political Economy of Military-Islamist State Building*, Cambridge et al.: Cambridge University Press.

Welker, Marina (2014), *Enacting the Corporation. An American Mining Firm in Post-Authoritarian Indonesia*, Berkeley, CA, Los Angeles, CA and London, UK: University of California Press.

Welker, Marina (2009), 'Corporate Security Begins in the Community': Mining, the Corporate Social Responsibility Industry, and Environmental Advocacy in Indonesia, in: *Cultural Anthropology*, 24, 1, 142-179, DOI: <https://doi.org/10.1111/j.1548-1360.2009.00029.x>.

Westermann-Behaylo, Michelle (2009), Institutionalizing Peace through Commerce. Engagement or Divestment in South African and Sudan, in: *Journal of Business Ethics* 89, 417–434, DOI: <https://doi.org/10.1007/s10551-010-0398-0>.

Yager, Thomas R. (2015), The Mineral Industry of Sudan, in: *2013 Minerals Yearbook,* Washington, DC: US Geological Survey, US Department of the Interior, 41.1–41.5.

Yager, Thomas R. (2014), The Mineral Industry of Sudan, in: *2012 Minerals Yearbook*, Washington, DC: US Geological Survey, US Department of the Interior, 40.1–40.4.

Yager, Thomas R. (2010), The Mineral Industry of Sudan, in: *2008 Minerals Yearbook*, Washington, DC: US Geological Survey, US Department of the Interior, 38.1–38.4.

Yager, Thomas R. (2007), The Mineral Industry of Sudan, in: *2005 Minerals Yearbook*, Washington, DC: US Geological Survey, US Department of the Interior, 37.1–37.5.

Yager, Thomas R. (2004), The Mineral Industry of Sudan, in: *2002 Minerals Yearbook*, Washington, DC: US Geological Survey, US Department of the Interior, 27.1–27.5.
Yager, Thomas R. (2003), The Mineral Industry of Sudan, in: *2001 Minerals Yearbook*, Washington, DC: US Geological Survey, US Department of the Interior, 26.1–26.4.
Young, John (2006), Eastern Sudan: Caught in a Web of External Interests, in: *Review of African Political Economy*, 33, 109, 594–601.

## Internationale Joint-Ventures im industriellen Goldabbau, unternehmerische Verantwortung und Schadensverursachung im Sudan

**Zusammenfassung**: Gewaltkonflikte im Sudan, vor allem in Darfur, führten zu Beginn des 21. Jahrhunderts in den USA zu einem erhöhten Druck auf Unternehmen, ihre Investitionen aus dem Sudan abzuziehen oder zu beweisen, dass ihre Geschäfte in diesem Land nicht zu den Konflikten beitragen. In dieser Fallstudie von La Mancha, einem Unternehmen, das in den Jahren 2006 bis 2015 an einem Goldminen-Joint-Venture im Sudan beteiligt war, untersuche ich, ob und wie das Unternehmen öffentlich auf diesen Druck reagierte. Ich zeichne nach, wie die unternehmerische Verantwortung für anhaltende Schadensverursachung in öffentlichen Stellungnahmen des Unternehmens behandelt wurde, welche konzeptionelle Lücken darin erkennbar sind, und wie diese in USA-basierten Aktivistenkreisen (re)produziert wurden. Die Analyse zeigt die selektive Anerkennung von Verantwortung seitens des Unternehmens, welche auf der Perspektive externer Akteure beruht und gleichzeitig direkt von Schadensverursachung Betroffene ignoriert. Die Fallstudie bezieht sich auf Debatten sozialer Verantwortung von Unternehmen in Afrikas Rohstoffindustrie, insbesondere im Rahmen komplexer Unternehmensstrukturen, die sowohl staatliche Akteure als auch ausländische Investoren umfassen. Eine solche komplexe Unternehmensstruktur erschwert die Identifizierung von Verantwortungsträgern, stellt aber gerade deshalb eine besondere Notwendigkeit dar. Der Artikel legt nahe, dass ein Verständnis der Aushandlungsprozesse als Arena, in der sich verschiedene Akteure auf das gleiche Anliegen, aber nicht unbedingt aufeinander beziehen, die kommunikative Diskrepanzen innerhalb solcher Prozesse konzeptionell erfassen kann.

**Schlagwörter**: Sudan, Darfur, Goldabbau, lokale Konflikte, Investitionspolitik, Joint Venture, unternehmerische Gesellschaftsverantwortung