



LEADERS OF THE “REFOUNDATION ” REGIME GRANTED A MINING PERMIT FOR THE RARE EARTHS OF AMPASINDAVA TO HARENA RARE EARTHS

The Collectif TANY expresses its deep concern, a concern shared by many Malagasy citizens, following the **granting of an operating permit for the Ampasindava rare earths project** in northwestern Madagascar **by the relevant authorities of the “Refoundation” regime** on October 8, 2026.

Some media outlets in Madagascar have referred to “ionic clay,” but when they report that representatives of Harena Rare Earths and the Ampasindava project have reached a major milestone and were received by U.S. Chargé d’Affaires Tom Bevan, accompanied by Mr. Carl Andriamparany, Minister of Mines, for a celebration, it is undoubtedly the rare earths of Ampasindava.

Operations would not begin immediately, as the company would still need to develop and submit management plans, conduct an environmental impact assessment, and hold a public consultation in order to obtain an environmental permit.

If the mining company undertakes these activities, which require time and financial resources, it is not out of goodwill or a deep affection for the Malagasy people of the Ampasindava area. It is simply required to comply with Malagasy law, specifically the MECIE decree (Mise en Compatibilité des Investissements avec l’Environnement, or Alignment of Investments with the Environment), which mandates most of these measures.

The TANY Collective will not cease to emphasize and highlight **a huge and scandalous loophole that remains in the revised MECIE Decree of 2025**: the requirement that these environmental procedures be conducted only AFTER the mining permit has been issued. This situation, which is a source of disaster and peril for the Malagasy people, is the result of the decision-makers responsible for this revised MECIE decree, and more specifically, those who instructed them to keep the Malagasy people oppressed in this situation. In many other countries, a company can obtain an operating permit only after first securing an environmental authorization. This means that the environmental impact assessment process and public consultation must be completed beforehand, thereby confirming the consent of the local population and the absence of major issues. Only under this condition can an operating permit be issued elsewhere.

The Collective TANY had submitted suggestions on this matter to officials at the time when the team tasked with revising the MECIE decree was gathering input from civil society. However, it was the other proposal, whose destructive nature is now evident, that was ultimately adopted.

The company also states that it will conduct another **pilot phase** to verify various technical, economic, operational and environmental parameters.

The primary motivation for this approach, which will also serve as the basis for subsequent decisions, is to maximize profits for the company and its investment partners.

During this pilot phase, if the operations **pollute the water, destroy the environment and biodiversity, and have harmful effects** on farmland as well as on the lives of thousands of people in the Ampasindava area and its surroundings, as has been the case with rare earth mining in various other countries, **will the Malagasy authorities be unable to stop the mining because they had already granted a permit?**

The company claims to have found a new method for extracting rare earth elements that does not require the use of harmful chemicals. If this proves to be true, - though the company has yet to verify the method's safety in this specific context, so it is not yet a certainty -, and if the company decides to continue its operations regardless of any harmful effects, there is a risk that **Malagasy authorities will be unable to halt the mining operations, as they will have already granted a permit.**

The President of the Refoundation of the Malagasy Republic recently stated that the Mining Code would be amended to require that minerals undergo initial processing on site before being exported. How might policymakers apply this measure to this new situation in a way that protects the interests of the communities in the Ampasindava region? Or does this not, in reality, risk completely destroying what little may still remain?

If there is political will to do so, it is still possible to undertake further reforms to improve the MECIE decree, given that thousands of mining permit applications are reportedly still pending approval by the Ministry of Mines.

The Collectif TANY demands that HARENA RARE EARTHS and its partners, as well as the Malagasy authorities and technical staff working closely with the company, **to make public** :

- * details of the chemical components planned for use, the testing protocols related to the leaching process envisaged for the pilot phase, as well as the potential impacts in various areas, including on soil, water, air, and living organisms, so that they can be assessed and analyzed by independent Malagasy and international experts and researchers;
- * the results of the pilot phase and the environmental and social impact assessments, the latter of which is now also required by the MECIE decree; and
- * the measures planned to protect the environment and the surrounding area from any damage.

There are many Malagasy experts capable of collaborating with international specialists to conduct an assessment of this kind. Such an approach would lend greater credibility to the pilot phase, a step that is now essential, **given that an operating permit has already been granted.** We, as Malagasy people, must take a proactive approach. We should not uncritically accept any future claims by the company that everything went "perfectly well," especially when such a claim is not supported by any evidence or any other assessment.

The claim that **the company will create jobs for the residents of Ampasindava** once operations begin is both exasperating and laughable, because the number of residents in the Ampasindava area who would remain there if operations were to actually take place is one of the most distressing unknowns in this situation.

Conclusion

It is widely acknowledged that nations in poor countries, such as ours, will face major adverse consequences stemming from the energy transition, particularly in the mining sector, and from fierce competition among the world's major powers in the years to come. Several authors have pointed out that this new phase in the exploitation of "rare earths" makes Madagascar a player in the rivalry between the United States and China.

For us, as civil society organizations, this energy transition, which involves growing interest in the strategic minerals found in Madagascar's subsoil, provides a new reason to strengthen and advance the protection of the rights of local Malagasy communities directly affected by these changes. The inaction of those in positions of responsibility—who have taken no steps to prevent this catastrophe or protect the population from the grave threats at stake—will go down in the country's History.

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